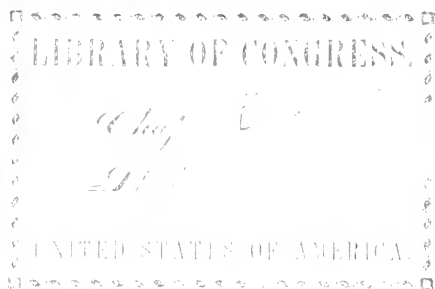
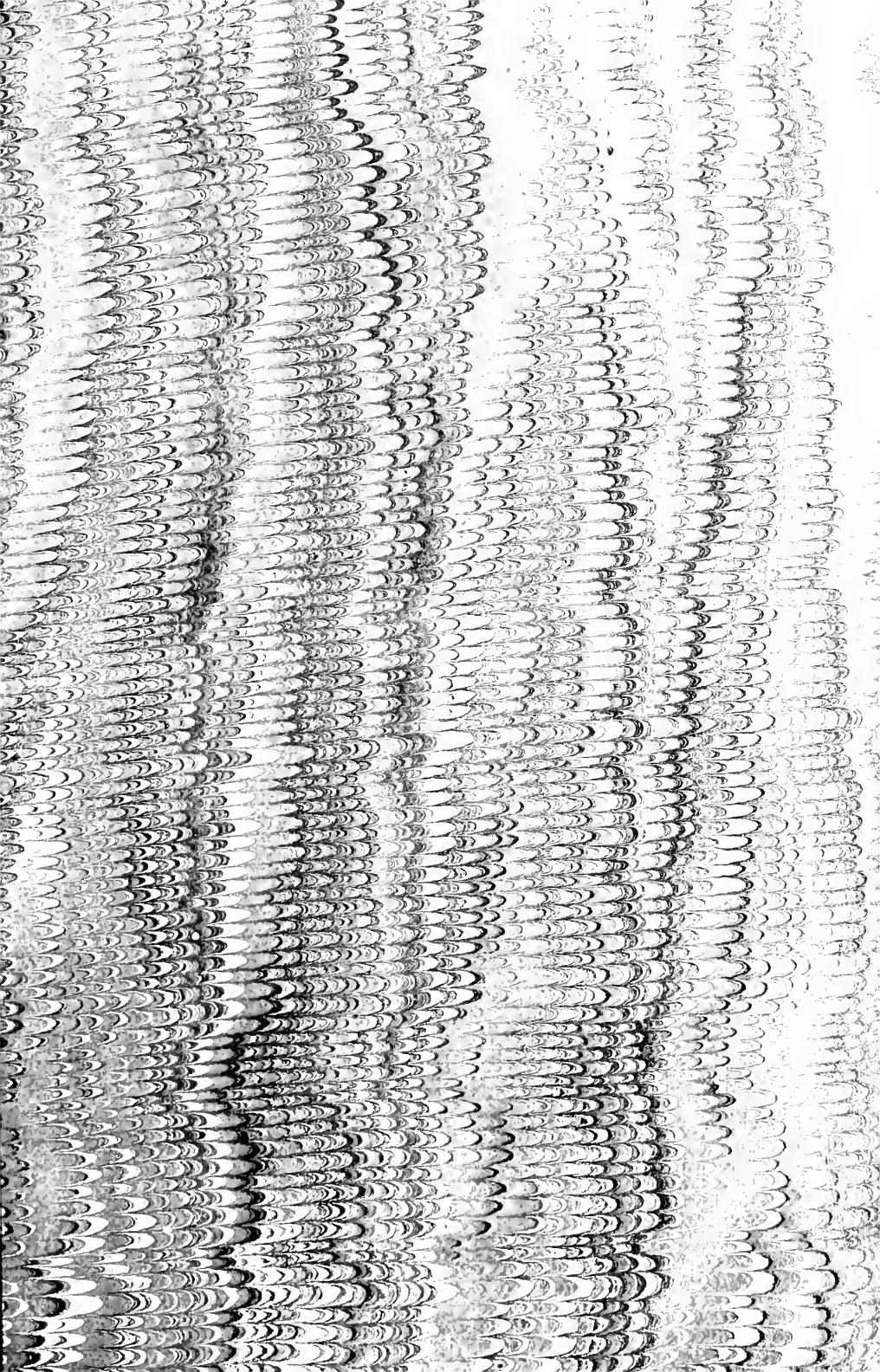
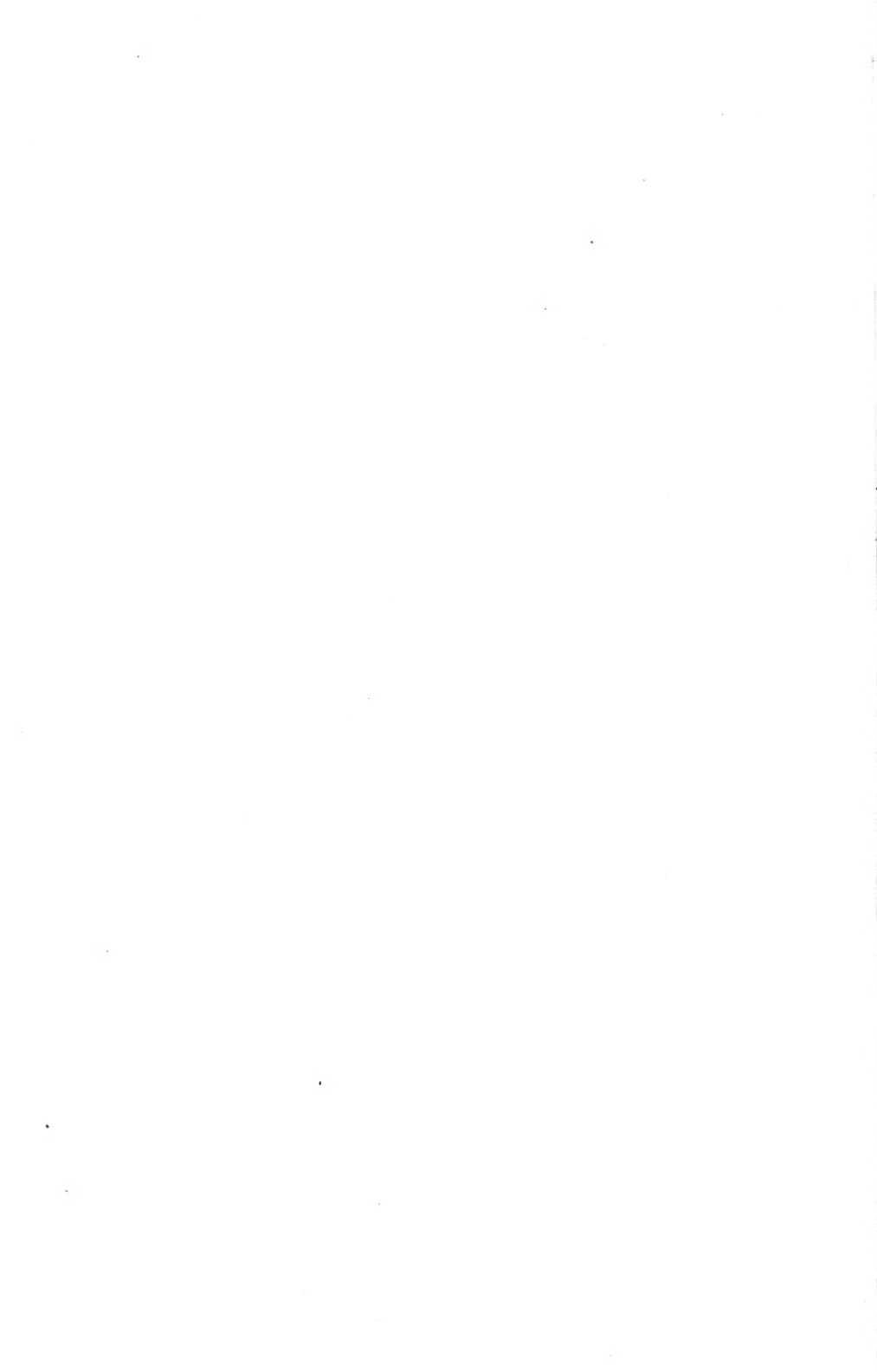


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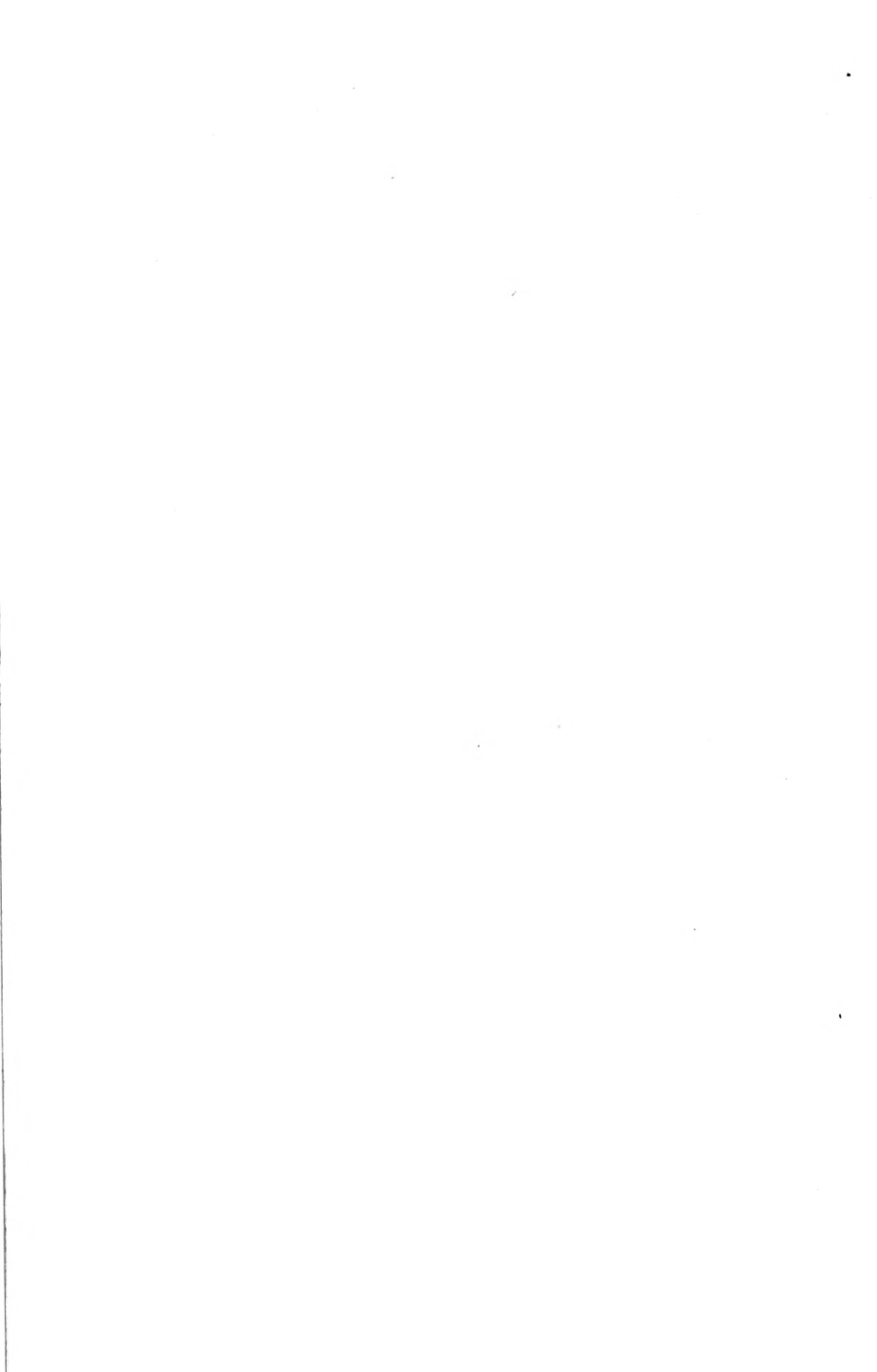
















SECOND ADDRESS

*Philip R. Fendall Esq -*

OF THE

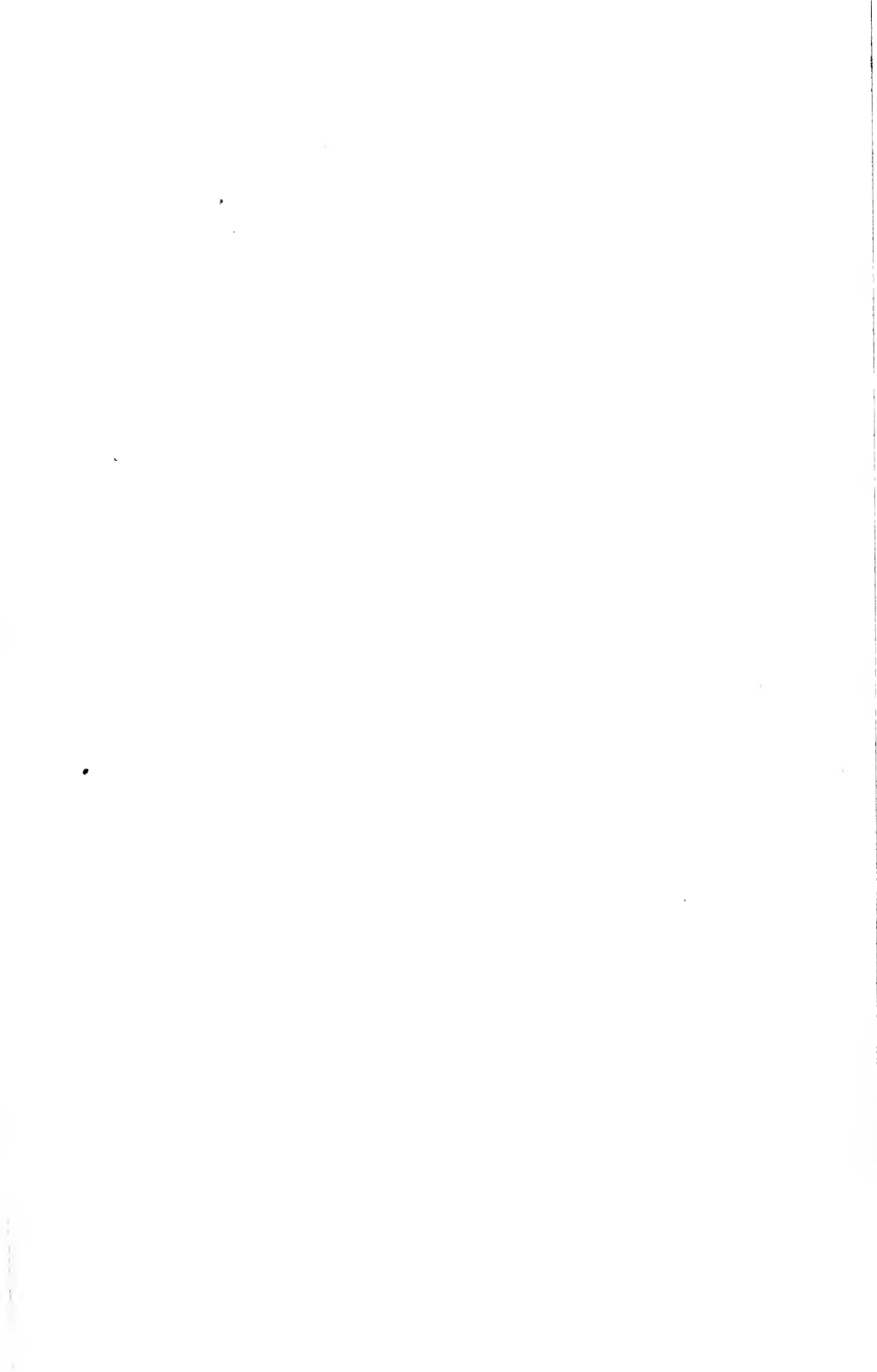
CENTRAL COMMITTEE OF FAUQUIER,

TO THE

PEOPLE OF THAT COUNTY,

ON THE

ARMY BILL.



✓  
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✓  
WASHINGTON:  
PRINTED AT THE MADISONIAN OFFICE.  
1840.



## INTRODUCTION.

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THE following pages were written before the President's letter to Mr. Cary and others, of Elizabeth City county, was seen by us. We little thought, when we penned them, that they would bring us into direct collision with the President of the United States. The position is one which we as little desired as expected. As, however, we have made no statement which we are not willing to stand by—asserted no fact which we are not prepared to prove, and were willing that our arguments should be submitted to a candid public for what they are worth—we do not feel called on to alter, nor have we altered, a syllable of what we had written: Nor are we deterred from giving our lucubrations to our fellow-citizens, as we originally designed, by the fearful odds which we now have to encounter. We are advocating, as we conscientiously believe, the cause of truth and of our country. Our early education taught us to believe that truth is great, and will, in the end, prevail; and it *may be possible* that the arrows of truth, shot from our feeble bow, may pierce the armour with which his official station has clothed him.

You are aware, fellow-citizens of Fauquier, that, at a meeting of a portion of those of you who entertain the opinion that Mr. Van Buren ought not to be re-elected to the high office which he fills, we were appointed a Central Corresponding Committee for this our native county. This selection was more on account of our residence at the seat of Justice than any merit of ours. It is known to you, also, that, with a single exception, and that a reluctant and temporary one, none of us have sought office at the hands of either the government or people. We have been content to toil in the station in which Fortune has placed us, and earn our bread by the sweat of our brow—leaving it to others to tread the thorny paths of politics. In accepting the appointment of your Central Corresponding Committee, we were actuated by the conviction that the good of our country required a change of rulers; and, in discharge of the duties which you imposed upon us, it has been our sole aim to place accurate information in the hands of the People. We confidently challenge the production of a single instance in which we have done otherwise. In the course of our examination of the measures of the ruling party, the so-called plan for organizing the militia fell in our way; and, being struck with the new and extraordinary principles which it proposed to introduce—the injustice which it threatened, in the form of a capitation tax—the military rigor with which it proposed to visit the militia-man—the unblushing violations of the Constitution which it proposed—and, above all, the standing army which lay at the bottom—we deemed it proper to call your attention to it. Instead of doing this by an anonymous publication, or in terms of obloquy and vituperation, which unhappily characterize, for the most part, the political discussions of the party in power, from the dirty sheet of a village newspaper to the President himself, as his letter proves, we determined to address you in our own proper names—holding ourselves responsible for the truth and fairness of our statements, and clothing them in language which might have been addressed personally to the individual to whom it was applied without a departure from the rules of decorum deemed indispensable between gentlemen. We thought it not improbable that we might call down upon our heads some of those showers of filth which daily issue from the administration press. We steelled ourselves against the infliction by bracing our nerves to bear it in silence. To the Van Buren leaders of our own county we threw down the gauntlet, and said, “If any man of our own county, of responsible character, will, under his own hand, deny any of the facts which we allege in this or any other communication which we may venture to make, we pledge ourselves to meet him before the People, at such time and place as he may select, and either maintain our position or take the consequences of defeat.” Our address was published in May—our glove lies untouched. Or, shall we say, it has been taken up by the President? We cannot hope that any thing which we have said has been deemed of importance enough to discompose his well-balanced mind or ruffle his imperturbable temper, and cause him to run the risk of forfeiting his title to the appellation of a well-bred gentleman, by the use of the vulgar

terms in which he has spoken of those who have criticised his plan for a militia army. We found ourselves, nevertheless, in the same category with other unnamed persons to whom that language applies. Even we, humble as we are, have ventured to lay before our fellow-citizens our objections to his plan, and "subscribe our names to the statements" which we made. To use his own courtly language, we were "so ignorant" ourselves, or counted so largely on "the ignorance of others," as to suppose it possible that Mr. Poinsett meant what he said when he declared it to be his purpose to accomplish his scheme "without taxing the Treasury too heavily," and commenced his plan of the details by saying, "It should be provided" that every man of the militia should furnish himself with arms; and when, too, he proposed no other means for the accomplishment of that indispensable requisite. We were wicked enough, when considering the subject in this aspect, to point out the inequality and injustice of the tax thus "proposed" to be levied on men instead of property; and, what seems to have been still more offensive, we were wicked enough to express the suspicion that it was in reality no part of the plan to arm the whole body of the militia, but the real purpose was to arm and pay a body of volunteers—and to argue that it would be, in substance and effect, a standing army. We were unlucky enough, also, in transcribing from his message his recommendation of the plan, to omit *three words*—which omission, we will show, did not, as the President has said, "*falsify* the true meaning" of the message.

We did, it is true, endeavor to make amends for the accident by hastening to prepare a table of errata, in which this and other errors of about equal weight were pointed out, and appended it to every copy of our address which we sent to a distance, and a large number of those which we circulated in our own county. We have been twitted, too, by our Van Buren neighbors, with the President's onslaught upon our address. To remain silent, and suppress our intended second address, would give edge to their sarcasms and weight to their statements. On the other hand, to take to ourselves *any* of the remarks of the President, and stand to our arms when he is in the field, might, we are perfectly conscious, subject us to the imputation of vanity and presumption. We find ourselves, then, in a dilemma, and must extricate ourselves as well as we may. We have determined, for the reasons already given, to take the latter horn; and pray you to bear in mind that although we were "volunteers" in this matter, yet it is by a most unexpected turn in the tide of battle that we are brought front to front with the President. We threw down the gauntlet to our equals—none of them have ventured to take it up. To inspire anew their lagging zeal, revive their drooping courage, and aid their small shot and birding-pieces with the heavy ordnance of the palace, the President has opened his artillery. The battle must have waxed sore against the Philistines when their commander-in-chief found it necessary to quith his eminence and mingle in the fray with the rank and file. *He* must have felt himself in extremity, indeed, when, instead of firing fair round shot, he has charged his piece with such missiles as he has sent amongst us.

Taking ourselves to be a portion of the "citizens who have subscribed their names to statements," of whom the President speaks so harshly and unbecomingly too—as the society in which we have been bred has taught us to think—we will again remark that we invited those who controverted our statements to put their denial in writing, and point to the specific fact denied. The President has animadverted on one only of our facts; we have a right to insist, therefore, that all the others are admitted. We gave, in an abridged form, the several sections of which Mr. Poinsett's details were composed—some of them we gave word for word—we assume that we have been accurate in this. We stated that the Secretary of War had, in his Report to the President, set forth the heads of a certain scheme for organizing the militia, which we quoted. The accuracy of our quotation not having been questioned, we assume that it is admitted. We gave, too, an extract from the President's Message, which, as we contended, endorsed the Secretary's plan. In this it is said we have offended; and, in the strong, not to say discourteous language of the President, we attempted to prove "an unfounded assumption by the publication of a *garbled* extract from that document, with its true meaning *falsified* by the *suppression* of a material part." We will remark, *en passant*, that as we had taken upon ourselves the responsibility of attaching our names to the publication, and issued it amongst our neighbors and acquaintances, some of whom eat the bread of the President, whilst others are his "sink or swim" advocates—where the means of instant correction were in the hands of every body, as the omission was of *three words only*, and it was the only inaccuracy complained of—a little of that charity which he so largely bespeaks for his own con-

duet and motives might have induced him to suppose that it was accidental, and that his sense of decorum would have led him to use less offensive terms than "*suppress*" and "*garble*" and "*falsify*." The same charge was made against us by his organ, the *Globe*, and in the same style; whence we infer, that it is to gratify *his* palate as well as to indulge their *own* natural propensities that the conductors of that print fill its columns with ribaldry and abuse. But let that pass.

Our extract is in these words: "The present condition of the defences of our principal seaports and navy-yards, as represented by the accompanying report of the Secretary of War, calls for the early and serious attention of Congress; and, as connecting itself intimately with this subject, I cannot recommend too strongly the plan submitted by that officer for the organization of the militia of the United States." The true Message reads thus: "The present condition of the defences of our principal sea-ports and navy-yards, as represented by the accompanying report of the Secretary of War, calls for the early and serious attention of Congress; and, as connecting itself intimately with this subject, I cannot recommend too strongly to *your consideration*\* the plan of that officer for the organization of the militia of the United States." The sentence which precedes this in the Message, relates to the graduation law, that which follows it to the Florida war, and there is not another sentence or word in the Message which relates to the Secretary's plan for organizing the militia; so that the charge of *garbling, suppressing, and falsifying*, rests on the omission of the words, "to your consideration;" and the difference complained of is, that of strongly recommending a plan to an individual and strongly recommending it to his consideration. According to Webster, the word "*recommend*" means "*to praise to another—to offer or commend to another's notice, or kindness by favorable representations—to make acceptable—to commit with prayers.*" Let us take the sentence as the President penned it, and substitute for the word "*recommend*" any of the significations of that word above-mentioned:

I cannot too strongly *praise* to your consideration the plan, &c.

I cannot too strongly, *by favorable representations, commend to the notice, or kindness, of your consideration, the plan, &c.*

I cannot too strongly *make acceptable* to your consideration the plan, &c.

I cannot too strongly *commit with prayers* to your consideration the plan, &c.

Now, strike out the words, "*to your consideration,*" and insert the words, "*to you,*" and tell us the difference which would be thereby effected in the meaning of the sentence! And yet it is upon this different mode of expressing the same idea that the President has ventured to charge us with the intentional suppression of the words, "*to your consideration.*"

Suppose a man to be afflicted with a sore disease, and some doctor, in whom he has not entire confidence, should prescribe a remedy:—the family physician is called in, analyzes the compound, and finds it to be a deadly poison! Instead of exposing the empirick, he says to his patient, "I cannot too strongly recommend to your consideration the *potion* of that gentleman." His patient takes it, and dies. Is the physician not a murderer? If the plan of the Secretary be as deleterious as the People have pronounced it to be, the President may take his choice between the alternatives which he presents to the citizens who have subscribed their names to statements which he calls absurd and preposterous, and either confess his own ignorance and unfitness for his high office, or his having presumed on the ignorance of others.

Again: It is only by virtue of an express provision of the Constitution that the President can meddle with the deliberations of Congress, and exert the influence of his office in *originating* laws: and he does this upon his responsibility for the *necessity* and *expediency* of the measures which he recommends to the consideration of Congress. Article 2, section 3 of that instrument declares that "he shall, from time to time, give to Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge *necessary and expedient.*" Whenever, therefore, in the performance of his constitutional duty, the President recommends a measure to the *consideration* of Congress, it is because he *judges* it "*necessary and expedient.*" And, if he did not think the plan of the Secretary necessary and expedient, he violated his oath of office when he "strongly recommended to their consideration the plan of that officer." It is upon this miserable quibble, founded upon

\* From the President's letter to the honorable Rice Garland, it is clear that the words "*to your consideration,*" constitute the omission which he says falsified the true meaning of his message. No others were, in point of fact, omitted by any of the "citizens who signed their names to statements," &c.

an accidental omission, which did not change in the slightest degree the sense of the extract—a quibble which would cast ridicule upon the lowest pettifogger—one which we would not have condescended to notice had it come from any other quarter—that the President of the United States has stepped out of his way to write and publish to the American People—of a portion of that People who had calmly and respectfully canvassed his measures—such language as the following: “We have been compelled to see, not, I should think, without shame and mortification on the part of every ingenious mind, whatever may be its political preferences, the names of respectable citizens subscribed to statements that I had, in my annual Message, expressed my approbation of a plan, which not only never had been submitted to me, but was not even matured until more than three months after the Message was sent to Congress: and an attempt to prove the *unfounded assertion* by the publication of a *garbled* extract from that document, with its true meaning *falsified* by the *suppression* of a material part.” We will not follow his example by characterizing his conduct in terms which it would warrant. No. We belong to a different school of manners as well as morals from that in which he has taken his degrees, and will not stoop to bandy epithets with Martin Van Buren, President of the United States.

Let us look a little into the President’s logic: He says that his Message was garbled and a part suppressed, and thereby its true meaning was falsified. We have seen that the only words omitted are, “to your consideration.” Now, give to these words all the force which even the imagination can impart to them, and how do they alter the meaning of the sentence? In no possible way but as qualifying his recommendation. They bear upon the question of *degree—force—earnestness*; or, at most, upon the question of *recommendation* or no *recommendation*, and not upon the question, *what* did he recommend? The only question on which the *message* was ever quoted is, whether or no the President *endorsed* the plan recommended by the Secretary in his November report, of which he spoke in his Message; and the words, “to your consideration” bear upon that question only. Yet the President complains that, by their suppression, we have so falsified his meaning as to make him recommend a *thing* which did not exist until more than three months afterwards, and thus would make the words, “to your consideration,” mean the thing recommended! Admirable logician. We *argued* that he was conscious of the details reported on 20th March, not from the premises of the President, but from the *fact* that the *Secretary* had said, in his Report, that he was then prepared to submit a plan of them to *him*. And so we argue now: and you may judge now, as you judged then, whether the argument is weak or forcible.

In the polite language of the vocabulary of the palace, we have also been charged with betraying ignorance ourselves, or presuming upon the ignorance of others, in our commentaries upon the first section of the proposed plan, which, in *express terms*, requires the militia to furnish their own arms. We have anticipated this, and all the other grounds taken by the President, in our address; and if you will honor us so far as to read it, we shall, we trust, satisfactorily sustain the position which we originally took on that point.

We will now ask attention to the *statements* of His Excellency, and endeavor to show how far *he* has subjected himself to the charge of a departure from truth, and presuming upon the ignorance or subservience of his supporters. Before, however, we enter upon this inquiry, we will premise that his Virginia correspondents put to him a very plain and direct question, which not only admitted of, but required a categorical answer. “Do you approve of Mr. Poinsett’s scheme for the organization of the militia?” Now, if ever a question was framed which admitted of a simple answer, you or nay, this is that question. The plan had been the subject of discussion in the newspapers and in Congress, from the middle of February until late in June. Surely if he did not understand it when he recommended it to Congress—if ever he can understand it, and ever will make up his mind upon it before the bill is offered for his signature—he must have done so by the 31st July, the date of his letter. Yet, instead of giving a direct negative or affirmative, he flew off to the plans of Knox and Jefferson, and Harrison and Jackson, and having mystified his correspondents through two columns of the Enquirer, he leaves them to collect his opinion from the beginning, or the middle, or the end, or from their own imaginations. He has said enough, however, to show that he neither disapproves of, or means to abandon the measure. We have not space to enter upon an analysis of this part of his letter; but we beg such of you as peruse our address, to collate it with the facts which we adduce. We return to his statements with regard to the mis-called Mr. Poinsett’s plan.

To enable you to understand and apply the language of Mr. Poinsett, in his letter



to Mr. Ritchie, and that of the President, in his letter under review, it is necessary that you should bear in mind that there are three documents in relation to this subject: First, the *Report* of the Secretary of War, dated 30th November, 1839, and addressed to the *President* of the United States—(not to Congress, nor to either House, nor to any Committee of Congress: prepared by the Secretary of War, strictly in his relation as the head of a Department, to his Executive chief;) appended by the President to his annual Message of the 2d December last, and so transmitted by him, the President, direct to Congress. Secondly, the *details* of the plan, of which the Report contains the heads, and which the Report informs us were matured and ready to be submitted to the President on the 30th November, 1839. And, thirdly, “the plan reported to Congress” by the Secretary, in obedience to the resolution of the House of Representatives of 9th March, 1840. The critical reader will remark that, by grammatical construction, the language of both the Secretary and the President\* refers to the latter plan only; and it is only by confining it to that plan that the President can escape from having uttered a plain and palpable untruth. He says that the plan of which he speaks, “not only never had been submitted to me, but was not even *matured* until more than three months after the message had been sent to Congress.” Now, if a plan which was drawn out in detail, and prepared to be submitted to him, was *matured* when it was so drawn out and prepared, then the plan which he recommended to the consideration of Congress was matured as early as 30th November, 1839. It would be most extraordinary if it were otherwise. The Secretary had been laboring upon it from early in March to the last of November—had he accomplished nothing but a sketch of the outline? His Report contains the heads, a table of contents, an abridgment, an index. Did ever a man abridge a book before it was written? Is the table of contents, or the chapter, the book, or the index, first composed? A man may sketch an outline for his own use, and, in filling up, he will find occasion to enlarge, retrench, and obliterate; but who ever gave a mere outline as the result of his labors, when called on to perform such a task as that imposed upon the Secretary by the resolution of the Senate and the request of the Chairman of the Committee of the House, in March, 1839? Mr. Benton’s resolution required “Reports on the military and naval defences of the country, shewing, First, the fortifications, or other permanent defences, commenced, completed, projected, or deemed necessary;” and proceeds with the same minuteness of specification throughout, and concludes by asking that the reports should communicate “any other information or suggestions which the President may deem necessary to be communicated to Congress, in order to exhibit a full view of what is necessary to be done, and the probable cost thereof, to place the United States in a proper state of defence, by land and water, and on each of the four great lines of defence which her frontiers present.” Mr. Poinsett says, in his letter to Mr. Ritchie, that immediately after the passage of the act which placed ten millions of money at the disposal of the President, to enable him to meet and repel any hostile movements on the North-eastern frontier, with *militia*—an act which, he says, “defined (that is) the description of force to which the defence of the country was to be trusted in the event of war—the Committee on the Militia, of the House of Representatives, required me to prepare a plan for the better organization of the militia of the United States.” And did he, in the performance of this duty, furnish nothing but the sketch of an outline? It was possible that the Secretary might not be able to accomplish more; but, had that been the case, he would have said so, and either acknowledged his inability to perform his allotted task, or asked for more time. How did he perform a similar task imposed upon him by Senator Linn’s resolution of October 11th, 1837? By reporting a *matured* plan, with all its details. It is for the very purpose of furnishing a matured plan, and drawing up details, that these references are made to the heads of departments. They bear the same relations to the committees which call on them, as the committees do to the House; and when was it that a committee reported the outline of a bill, leaving *all* the details to be supplied by the House? Why, then, it may be asked, did he not furnish the details in his Report of November, 1839? Simply because it was no part of his plan that they should be submitted to Congress. He reserved them for the President. But it is not at all necessary to go into this reasoning: nor would we have detained you with it if we were opposed to a less formidable adversary. The Secretary himself furnishes direct and positive proof that the whole plan, details, and all, were ma-

\* The one in his letter to Mr. Ritchie, and the other in his letter to Mr. Clay and others.

tured on the 30th day of November, 1839, and gives the reason why the details were kept back. After going through the heads, he says, "But the *details* had better be left to *regulation*, a plan of which I am prepared to submit to you

The difference between this language and that used in reference to the call from the Senate, is very striking. After giving an account of the condition of our defences, (and a woful account it is) and furnishing in part the information required by the resolution of the Senate, he says: "In a report *preparing*, in reply to a resolution of the Senate calling for information on this subject, I *shall* enter into all the *details* connected with it." He was not *prepared* to submit a plan of *those details*. No, they were *preparing*—not yet *matured*—but he *was prepared* to submit a plan of the details "for organizing the militia:" that plan *was matured*.

Now, the President may take his choice; he may say that the plan which he avers was not matured until more than three months after this report was, as the Secretary calls it in his letter to Mr. Ritchie, "the plan reported to Congress," and *not* the plan mentioned in the November report. Or he may say that it *was* the last named plan. If the former, then, were we to borrow our language from his vocabulary, we should say that he may have told the truth in *words*, but has practised a deception on his readers. If the latter, we have disproved his assertion by the report of his own Secretary, sanctioned by himself. We doubt not but that he meant to take shelter under the first position.

"The plan reported to Congress" was not *entirely* matured when the November report was made. The plan of the details which was prepared for the private eye of the President, required to be a little softened before it was communicated to Congress. We can see where a limb or two were pruned a little. The number of districts was increased from eight to ten, and their limits reduced. Mr. Rives had commented on the word "stationed," in the heads, and shown that it gave the President power to march the militia of Maine to Florida and "station" them there. This potent word was pruned away, and the power of the President limited to calling them out to any place within their respective districts. These and others which may have been necessary, required the plan to be recast, the labor of which employed a portion of the ten days which elapsed between the call of the House and the report of 20th March. And this explains the whole matter.

After discussing the question, whether the militia can "Constitutionally" be called into the service of the United States for "*training*," and telling us, "Nor is it believed that they would in general be *properly* instructed and *disciplined*, unless they are called out and received into the *service of the United States*," and instead of giving to the proposition the decided negative which the Constitution has given it, putting us off with "it would *seem* to be a necessary *inference*" that the power to prescribe the *discipline*, does not carry the power to call out the militia and receive them into the service of the United States for *training*, and finally reserving the *decision* of the question "until it becomes necessary to act officially in the matter," the President says, "Mr. Poinsett seems to have been more sensibly impressed with this obstacle than his predecessors," &c. A greater error is not to be found in the letter, nor even in the lauded reports of the committees of the two Houses, than this assertion.

In the 17th section of "the plan reported to Congress," it is proposed—

"That the *President of the United States*, be authorized to call forth and assemble such numbers of the Active force of the militia, at such places within their respective districts, and at such times, not exceeding twice, nor \_\_\_\_\_ days in the same year, as he may deem necessary; and during such period, including the time when going to, and returning from, the place of rendezvous, they shall be deemed in the service of the United States, and be subject to such regulations as the President may think proper to adopt for their instruction, discipline, and improvement in military knowledge."

In this single section, two most important provisions of the Constitution are violated. First, that which reserves to the States the power to train the militia; and secondly, that which confers on Congress, not the President, the power to prescribe the *discipline*, or in the language of the section, the "regulations for their instruction, discipline, and improvement in military knowledge." The Secretary's attention was called to the first by the chairman of the committee of the House, and in answer to an objection not raised by his own sensibility to constitutional difficulties, but by others, he proposes to accomplish his purpose of placing the active and reserved corps under the command of the President, by a device equally unconstitutional, to wit: *by procuring the assent of the States*; as if the assent of a State Legislature could engraft a new provision on the Constitution, and transfer to the President a power expressly reserved

to the States! So much for the Secretary's sensibility to Constitutional difficulties! We have not space to transcribe from the plans of Washington, Jefferson, Madison, Munroe, and Jackson, extracts to show that neither of them ever contemplated this violation of the rights of the States. General Harrison, in his report of 9th January, 1818, says: "Congress having power to provide for governing the militia only when they are in the service of the United States, and the authority of *training* them belonging to the *State Governments*, the committee have not deemed it *proper* that Congress should prescribe the time to be devoted to training, or the manner in which that object shall be best effected. It is the duty of the *State Legislatures* to enact the necessary laws for that purpose. The Committee deem it a sufficient exercise of the power to provide for *disciplining* the militia, to direct the appointment of the necessary officers, to prescribe their duties, and to *provide a system of discipline*, comprehending the camp duties, instruction, field exercise, and field service of the militia." So exclusively does he deem "the authority of training" to pertain to the States that he thought it necessary to amend the constitution in order to give to Congress a power to train them "*concurrently*" with the States—and yet the President says that Mr. Poinsett evinced greater sensibility to constitutional difficulties than "his predecessors!"\*

The President says: "It is but lately that my attention has been particularly drawn to this subject." How far back the word "lately" may carry him according to his version of it, we will not undertake to say; but this we do say, that his attention was most particularly drawn to this subject as far back as the 5th of December, 1837; that as early as that day he originated and recommended the leading and unconstitutional features of the plan, and both he and his organ, the *Globe*, have from that day down to the Message of 24th December last, and to the time of the retreat which was sounded by Mr. Ritchie, pressed it upon Congress and the nation; and for proof we refer to his messages and articles published in the *Globe*, which we have commented on in our address.

The president says: "some surprise has been expressed, and doubts appear to be entertained of the correctness of his (the Secretary's) declaration that *the plan* was not seen by me, or submitted to my consideration before it was communicated to Congress. Those who take this view of the subject, entirely overlook the fact that *such is almost invariably the case on all similar occasions; and that in replying to calls made upon them by either branch of the legislature, the heads of departments act for Congress and not for the President; except on occasions where his acts are brought into question.*"

From the nature of things, it is not to be expected that we should have it in our power to disprove this statement. Whether the Secretary submitted all his reports, and if not all, which of them, is a question which it is difficult for any save themselves to answer. The duty of both requires that it should be done. The President, according to his own doctrine, has the power to control the Secretary in all things, and as the price of that power he is, in the language of his predecessor, bound "*to oversee*" and "*is responsible*" for all his official acts; "the entire action of the executive department," as the Protest hath it. Now it is a rule of law, as well as reason, that every public officer is presumed to do his duty until the contrary appears, so that the burthen of proof lies upon the President. This presents us in a strange attitude; the President declaring that he does not do his duty, and we maintaining that he does; for we shall prove, difficult as it may appear, that the Secretary *does* submit his reports to the President, although they are prepared in obedience to calls made upon him by one of the branches of the legislature, and do not relate to "occasions where his (the President's) acts are brought in question."

The first call that was made by "either branch of the legislature," on the present Secretary, that we have met with, was by a resolution of the Senate, introduced by Mr. Linn on the 14th of October, 1837, at the extra session. That call was directly on the Secretary, and in no respect related to occasions where the President's "acts were brought in question." The Secretary responded to this call on the 30th December, 1837, the regular session. His report in answer to this call, was not only submitted to the President before it was sent to the Senate, but whilst it was in preparation; and this is proven by the President's own message, sent to Congress on the 5th December preceding, twenty-five days before the report. In that message the Presi-

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\* We have gone more fully into this part of the subject in our review of the reports of the committees. It became necessary to advert to it again when we are examining into the correctness of the President's "statements."

dent speaks of the report as one which *will be* submitted, and of its contents, as known to and approved by him.

Near the close of the session of 1838, the chairman of the committee on the militia, of the House of Representatives, made another call on the Secretary, which did not relate to "occasions" where the President's "acts were in question;" that is to say, he was called on to prepare a plan for a new organization of the militia. The Secretary responded to this call, not by a report to the House never shown to the President, but to the President himself, and through him to both Houses, and neither made any other reply to *this call*, nor ever intended to make any other. He was a third time called upon by the resolution of the House of Representatives of the 9th March last, to which he replied by a report to that House. Whether that report was shown to the President before it was sent in, is the question at issue. We have said that the Secretary never made any other reply to the call of the committee on the militia through their chairman, than that contained in his report to the President, and did not intend to make any other. His annual report, which gave the heads of his plan for organizing the militia, the thing called for by the committee, was made to the President, on the 30th November, 1839. Owing to the failure of the House of Representatives to elect a Speaker, the President's Message was not sent to Congress until the 24th December following, and with that message he transmitted the Secretary's report. The subject was referred, in due course, to the committees of the two Houses. The committee of the Senate held it under consideration until the       day of June, when they reported, and no other information was given to the *Senate* touching the plan for organizing the militia, than that contained in the Secretary's report to the President. The committee of the House had the subject before them from the time of its reference to the 9th day of March, three months and nine days after the Secretary had said that he was prepared to submit a plan of the details to the President; and during this period not one word of information was communicated by the Secretary, either to the House of Representatives or the committee on the militia, in reply to the call made upon him at the close of the former session, save that contained in his report to the President. We have shown that the Secretary had *matured* his plan at least as early as the 30th of November. On the 9th March, the house passed a resolution calling for the details. On the 20th he furnished them. Why were they not communicated sooner? Why wait for another call, if, as the President has said, "it was almost invariably the case in replying to calls made upon them by either branch of the legislature, that the heads of departments act for Congress and not for the President?" The report of 30th November answers these questions, and disproves the President's assertion. That report, made to the President, contains all the information which the Secretary designed for Congress touching this matter. It set forth the heads of his plan, and said: "The manner of enrollment, the number of days of service, and the rate of compensation, ought to be fixed by law"—in other words, by Congress—"but the details had better be subject to regulation"—in other words, left to the President—and concludes, "a plan of which I am prepared to submit to you."

As he did not intend that Congress should be troubled with the details, he did not communicate them to Congress; as he proposed that every thing necessary to embody, govern, command and discipline this army of 200,000 men, should be left to the President, he reserved his plan of the details necessary to carry out this "notable" scheme for the private eye of the President. That the plan of the details "reported to Congress" was not reported in obedience to the call of the previous session, is proven also by the letter accompanying that plan. That letter commences thus: "Sir, in compliance with the resolution of the House of Representatives, of the 9th instant, 'that the Secretary of War be requested to communicate his plan *in detail* for the organization of the militia of the United States,' I have the honor to submit the following report." So far, then, from its being true that it is "almost invariably the case" that the Secretary replies to a call from "either branch of the legislature" without submitting his report to the President, "except only on occasions where his acts are brought in question," the contrary practice prevails, as it most unquestionably should. That replies to calls for information on mere matters of detail, or for information which can only be obtained at the public offices, made and replied to during the session, are not in *all* cases submitted to the President, we believe; but that reports on great national interests, for the preparation of which time is given from session to session, are prepared without the participation of the President, and communicated to Congress without being ever shown to him, would prove a degree of delinquency in both the Secretary and the President, which of itself would justify their dismissal from office. But that the President should undertake to give his high sanction and his strong recommendation to plans thus pre-

pared and reported, is not to be believed. The President, then, in the passage of his letter which we have quoted, has committed a gross error. Not in mis-quoting a sentence, by leaving out three words which do not affect the sense, which might have happened by his own inadvertence, the carelessness of a copyist, or an error of the press, but in the *assertion of a fact*. Not in the narration of a fact communicated to him by another, which might have been misconceived, but in a fact which rested in, and is asserted upon, *his own knowledge*. Not in an unimportant collateral matter, but upon the very question at issue. He is contradicted, not by the mouth of a witness, who may have forgotten or be mistaken, or testify falsely, but by the record. Not by a musty record of ancient times, but by his own record, of no older date than his own three years' reign, commencing with it and running through it, down to the 20th day of March, 1840. Not in a single instance, but in every instance in regard to which we have any evidence save his own assertion. If he vouches his Secretary, we have shown in another place that his recollection has misled him also, not only in regard to this matter, but another of equal importance. If we were to follow the example set us by his Excellency, and indulge in language personally offensive, we might say that charity herself would be unable to attribute his error to mistake. We should say, it "is not without shame and mortification on the part of every ingenuous mind, whatever may be its political prepossessions, that we see the name of the President of the United States subscribed to such statements;" that we see him descend from the lofty station to which an abused people have elevated him, mingle in the discussions which the question of his re-election has given rise to, indulge in language towards citizens whom he admits to be respectable, which would not be tolerated in the ordinary intercourse of gentlemen, and attempt to justify his departure from truth and good breeding by a wretched quibble. Instead of answering promptly and unequivocally a few plain questions, which required no time for consideration, and the answers to which could have been comprised in half a dozen sentences, he has "for political and personal purposes" filled more than four columns of a newspaper with electioneering stuff, and availed himself of an "unfounded" pretext to delay his answer and withhold it from the newspapers, for near two months, to the end that it should go uncontradicted into an adjoining State in the crisis of an election, which, if it go against him, is decisive of his fate.\* "Our chief regret on witnessing such degrading exhibitions, arises from the consideration of the opinion which foreigners, who have not the same reason to respect our political institutions that we have, are likely to form of the character of our people, when they see that the most conspicuous man among us can promise himself any advantage from attempts to delude his fellow citizens, by means of such monstrous conduct. This regret is, however, we confess, materially diminished by the conviction that the people will, in the sequel, as they have heretofore done, convince those who attempt in this manner to operate upon their credulity, of the folly of seeking to accomplish in this country, political objects by such discreditable means."

The President is very indignant at the suspicion that his militia scheme is a standing army in disguise. It is this, we doubt not, that has destroyed the equilibrium which he generally preserves so admirably, ruffled his almost imperturbable temper, and irritated his "not over sensitive" nerves. We are not surprised at it. Nothing disconcerts a jurgler so much as to expose his tricks. If the imputation were so "preposterous," and such "a monstrous absurdity" as he would make the nation believe it to be, it would not have inflicted such a galling wound. His theatrical starts and staring eyes would not be played off before the people, at the apparition of a raw head and bloody bones of the nursery. Nor would he, we are persuaded, have run the hazard of forfeiting his title to the reputation of a gentleman, by applying to citizens whom he admits to be respectable, and who are as yet, thank God, as free to criticize his measures as he is to animadvert upon their criticisms, language so unbecoming his own high station, if he did not feel it necessary to withdraw public attention from his militia bill and give it a different direction. He makes strong protestations against the imputation, and is profuse in professions of attachment to the Constitution. His Secretary, too, in his letter to Mr. Ritchie, demands our confidence in the purity of his own and the President's intentions. We have had enough of professions. General Jackson condemned the practice of bringing the patronage of the Government in conflict with the freedom of elections. Mr. Van Buren professed to carry out his principles; yet we have seen the head of the Post Office Department quit his station to devote

\* The letter of Mr. Cary and others, is dated 12th June; the President's answer the 31st July; published in the Enquirer 7th August. North Carolina election commenced latter part of July, and runs through nearly half of August; occurring principally on 13th.

himself to a newspaper, the declared object of which is to promote the re-election of his former master. We have seen him promise the future patronage of the Government to those who would aid in its circulation, and attract subscribers by telling them that they could, through the agency of the deputy post masters, transmit their subscriptions to him free of charge; and we state upon undoubted authority, that a post master in the little county of Prince William, is not ashamed to boast, that he had distributed one hundred copies of that paper to persons not subscribers. Professions and protestations are too cheap and threadbare a commodity to barter our liberty for. When Cromwell at the head of an armed force dispersed the members of the British Parliament, he protested that "he had come for the purpose of doing what grieved him to the very soul, and what he had earnestly with tears besought the Lord not to impose upon him, but there was a necessity in order to the glory of God and the good of the nation."

When Napoleon with his grenadiers drove the members of the Council of five hundred from the Hall, he professed to act in the name of liberty and equality. To their demands of confidence we answer, "pardon us gentlemen," confidence should be a plant of slow growth in a republican soil; it is not confidence in rulers, but jealousy, and ever watchful vigilance, that Liberty exacts of her votaries as the price of the blessings which she bestows.

*August 12th, 1840.*

## SECOND ADDRESS

### TO THE PEOPLE OF FAUQUIER COUNTY.

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The new, unexpected, and extraordinary ground assumed by many (not all) of the advocates for the re-election of Mr. Van Buren in regard to his participation in the plan for a standing army, in the face of evidence which would have appalled any but a "sink or swim" advocate, makes it necessary for us again to present ourselves to your notice. We say "present" not "intrude," for upon a question which concerns, so vitally, not only the present generation, but the remotest posterity, every man is a party and has a right to be heard by those who are to pass upon it for weal or for woe. We now, as on a former occasion, prefer addressing you in our own proper names rather than anonymously. We are under the most solemn conviction that the permanency, if not the very existence, of our free institutions, depends upon the success of the efforts now being made to arrest the career of the party which has so long enjoyed, and shamelessly abused, the confidence of the People. Such a cause needs not the aid of misrepresentation. If the People will open their eyes and their understandings to behold and appreciate the truth it is enough. As we feel conscious that our object is virtuous and patriotic, and mean to wield no weapons but truth and reason, we deem it proper to vouch, with our own names, the facts which we assert, and are willing to stand or fall in the esteem of our neighbors by the title which we shall maintain to candor and fair dealing.

In our former address to you on this subject we said "we shall not be drawn aside by the assaults of anonymous writers, or hireling editors, nor do we intend to make a crusade through the State; but we do say that if any man of our own county, of respectable character, will, under his own hand, deny any of the facts which we allege in this, or any other communication which we may venture to make, we pledge ourselves to meet him before the People at such time and place as he may select, and either maintain our position or take the consequences of defeat." We have the gratification to find that no one has ventured to take up the gauntlet; whatever may have been said in conversation or in public addresses no man has ventured to point out a single error in fact, no one has ventured to question the accuracy of our deductions, or the justness of our remarks, in the mode which we invited. That mode was fair and equal. What we said was in print with our names attached. We asked that he who accepted our challenge should put his acceptance in the same form, and point to the specific fact which he objected to. This was the only mode to bring us to a fair issue. Words are fleeting, may be misunderstood or forgotten; ingenuity may explain them away; prevarication may deny them: but when they are put upon paper, there they stand, veracious and abiding witnesses. From their testimony there is no retreat; they must be manfully met, or disgracefully abandoned. Having placed ourselves in this attitude, we say it was but fair to demand of our opposers that they should place themselves in the same, or admit the truth and justice of what we have said. They have chosen the latter. We say then to our fellow citizens who have honored us so far as to peruse our former address, that every word of it is substantially admitted by the leaders of the opposite party. The great Globe itself has been able to point out no error but the accidental omission of a few words which does not alter the sense, and has quietly permitted its promised refutation to fade from the memory of its readers.

If, fellow citizens, any sworn advocate of the administration should corner one of you and say, or in a stump speech venture to declare, that our assumption of admitted accuracy is unwarranted, we beg you to remind him that the field is yet open to him, and say to him that he also was, and is invited, to bring his objections to our test, put it down in writing, put his name to it, and appoint a time and place to discuss it before the People. So far from refuting the objections, urged by ourselves and others, to this grand scheme for a standing army, the managers of the Administration party in Virginia have made what we shall show to be a vain attempt to clear the President's skirts of it, and concentrate the public reprobation on the head of his Secretary. This attempt is as extraordinary as it will prove to be vain and futile. The youngest amongst us who is old enough to go to the polls is old enough to remember the language of the predecessor of the President when he assumed the power to control the discretion of all executive officers. Upon that occasion he said, and it is written in your books, "By the Constitution the executive power is vested in a President of the United States

Among the duties imposed upon him, and which he is sworn to perform, is that of 'taking care that the laws be faithfully executed': being thus made *responsible for the entire action of the Executive Department*, it was but reasonable that the power of appointing, overseeing, and *controlling*, those who execute the laws, a power, in its nature, executive, should remain in his hands."

Now there was something of the characteristic gallantry of the old soldier in this. It is said to be a practice in some of the schools in Great Britain in which the sprigs of nobility are educated, to associate with those whose skins are too delicate for the birch what are called "whipping boys." By the way, the wrong part of speech is used in the definition, for whenever a lordling commits a fault these poor fellows are flogged for it. But General Jackson was willing, not only to take his own share of the flogging, but all which the nation was disposed to inflict, reserving to himself, however, the power to flog those who were placed under him.\* We had a right to expect equal gallantry from Mr. Van Buren. His pledge "to follow in the footsteps of his predecessor" and "carry out the principles of his administration" cannot be forgotten by any one who is at all conversant with public affairs. His participation in the measures, and his concurrence in the doctrines, of the administration, of which he formed a prominent and most efficient member gave occasion for his proudest boast in his inaugural address. Upon that occasion he said, "In receiving from the People the same trust twice confided to my illustrious predecessor, and which he has discharged so faithfully and so well, I know I cannot expect to perform the arduous task with equal ability and success. *But united as I have been in his counsels*, a daily witness of his exclusive and unsurpassed devotion to his country's welfare, *agreeing with him in sentiments*, which his countrymen have warmly supported, *and permitted to partake largely of his confidence*, I may hope that somewhat of the same cheering approbation will be found to attend on my path."

The duty of "overseeing," and the "*responsibility for the entire action of the Executive Department*," were the price of a great, not to say alarming, extension of executive power—no less than to control the discretion of every subordinate officer of the Government, and to remove them however honest, however capable, if their views of their duty differed from those of the President, and thus to convert them from what they were theretofore esteemed—servants of the people bound to obey the law, into servants of the President bound to execute his will.

The power of removal for incapacity or unfaithfulness conferred upon the President in the best days of the Republic, and by the purest patriots, is not to be found in the Constitution. Neither the framers of that instrument nor the People who ratified it, had any idea that they were making their President, like the Monarch of England, the sole fountain of honor, sole arbiter between the People and the rest of their public servants. No such grant, we repeat, is to be found in the Constitution, and those illustrious men whose coterminous exposition is looked upon as part of the Constitution itself, Madison, Hamilton, and Jay, in the work to which they gave their joint sanction, quieted the fears so justly entertained of an overshadowing Executive, by informing the People that "the consent of the Senate would be necessary to *displace*, as well as to *appoint*;"† and thus explained, and understood, the Constitution was ratified by the People. Under the guidance of some evil genius the first named gentleman led the assault by which this barrier was broken down, and the others followed. It would seem that the men of that day, dazzled by the virtues of Washington, thought the Executive the safest depository of power; they treated with scorn and derision the apprehension that, in after times, a President might be found who would use for sinister purposes a power bestowed upon him for the good of the People. The warnings of caution, the forebodings of jealous republicans, were unheeded; and, fatally for the peace and welfare of our country, the power was recognized as belonging to the President under the Constitution.‡ For nearly forty years it slumbered in comparative repose, when it was awakened into fearful energy by the Lion of the West, and wielded with his wonted daring. So faithful has his successor been to his promise to tread in his footsteps, so far, at least, as the exercise of this power is concerned, that that which, by the doctors of 179—, was intended "for an extreme medicine has become our daily food." When this tremendous engine was first placed in the hands of

\* Vide protest sent to the Senate April 17th, 1834.

† Vide Federalist No. 77.

‡ The concession to the Executive of the power of removal from office was carried, by Mr. Madison, in the House of Representatives, by a considerable majority. It passed the Senate by the casting vote of John Adams, their Vice President.



the Executive, the fears of the People were quieted by the reflection that their Washington was to wield it; when it was used to give a still wider sweep to Executive power they were again lulled into security by the assurance that the President would "oversee," and was "*responsible for the entire action of the Executive Department.*" These assurances were disseminated by the Administration press, and executive partisans, all over the Union. In spite of the arguments and remonstrances of the opposition, this doctrine became the doctrine of the party then comprising a large majority of the People; and now, that a measure concocted at the War office, under the very nose of the President, of unmixed evil to the People, and boundless increase to the enormous mass of executive power already accumulated, has called forth execrations deep and loud, these very presses, and these very partizans, tell us that the President's skirts are clear of this sin; that it is the measure of the Secretary of War, and the President is not responsible for it. When a great increase to executive power is desired, those men, with democracy on their lips, and devotion to power in their hearts, cry out "the President is responsible and ought to have the power:" when that responsibility presses, it is thrown upon a subordinate, who is prevailed upon to become the scape-goat on whose head are placed the sins of his party.\* Will you, fellow citizens, suffer yourselves to become the dupes of such a shallow artifice? Either take from the President the power which he has assumed, or hold him to the responsibility which it involves. This you *can* do at the ballot boxes, where, alone, your power can be felt. Do it now, for when the President shall have surrounded his throne with two hundred thousand Pretorian guards, and left the militia an uninstruced, unarmed, and unorganized, "mass," your efforts will be impotent. Hold Mr. Van Buren, we again say, to his responsibility; the measure is his, upon his own principles; and we have greatly deceived ourselves if, before we quit the subject, we do not prove that it is his in point of fact. Before, however, we pass to that branch of the subject, we request you to bear in mind that the attempt to throw the odium of this measure on Mr. Poinsett, gives us one advantage of no little importance. *It is an open confession of its damning character.*

Fellow citizens, we undertake to bring the scheme, the details of which were communicated to the Speaker of the House of Representatives, accompanied by a letter of explanation from the Secretary of War, dated March 20th, 1840, home to his Excellency Martin Van Buren, President of the United States. We undertake to prove that he first conceived it, and that his chivalrous Secretary has been nothing more than an *accoucheur*. That it was sustained and lauded by his supporters, until the people condemned it; and we aver that it has not even yet been denounced by a single member of Congress or leading administration press. Some, indeed, have uttered faint murmurs of *dissent*, whilst others, including the Globe, the known organ of the President, and the familiar of his palace, have lauded and defended it against the attacks of the Whigs. And finally, we will show that the scheme indicated by the *heads* contained in the Secretary's report to the President, dated 30th November, 1839, and communicated by the latter to Congress on the 24th of December following, endorsed by his *strong recommendation, in every essential particular in which it varies from the details communicated by the Secretary to the Speaker of the House of Representatives is worse than those details.*

The only testimony which furnishes a shadow of ground for the attempt to screen the President, is the letter of the Secretary of War to Thomas Ritchie, Esq. Secretary of the Central Van Buren Committee. We know Mr. Poinsett only as late Minister to Mexico, and present Secretary of War. We are willing to accord to him every title to credence which can rightfully be claimed by any gentleman circumstanced as he is, but no more. As a public servant, we shall scan his conduct with freedom, but with the courtesy which is due to his station and to the rank he holds in society. He has voluntarily presented himself as a witness before the American people, on a question in which their vital concerns are deeply involved; as a portion of that

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\* Leviticus, chapter xvi. verse 21, "And Aaron shall lay both his hands upon the head of the live goat, and confess over him all the iniquities of the children of Israel, and all their transgressions in all their sins, putting them upon the head of the goat, and shall send him away by the hand of a fit man into the wilderness."

"22. And the goat shall bear upon him all their iniquities into a land not inhabited, and he shall let go the goat into the wilderness."

Query. Has Mr. Poinsett been sent into the wilderness, or does he yet sit by the flesh-pots of Egypt?

people, we claim, and mean to exercise the right of subjecting his testimony to all just criticism; and if we find him involved in self-contradiction, we shall insist on all its legitimate consequences. Before we examine the tenor of his letter, we beg to call your attention to the position of the witness and the character of his evidence.

Mr. Poinsett is a prominent member of the dominant party. He at least is responsible for a measure which has excited universal odium. It is he who stigmatized the whole body of the militia as an incumbrance, and the officers as a set of ignoramus\*. He never can hope for promotion at the hands of a people whom he has insulted, and proposed to make the slaves of the President. As a politician his days are numbered, when Mr. Van Buren and the party which sustains him shall fall from their high estate. His only hope is in the success of that party. He, therefore, above all men, has a deep stake in the question on which he is called to testify. We object to him, then, in *limine* as an interested witness. We object still more strongly to the *ex parte* character of his testimony.

Fellow citizens, suppose one of you to be engaged in a law suit with a company of traders. Suppose the controversy mainly to turn on a particular fact. Suppose one of the company to write to a witness and say, "if this thing be as our adversary represents it, and as circumstances prove it to be, we are undone. You are the only man that can save us. Come, now, my good friend, give us a lift. We want your affidavit. We do not wish you to testify directly to the point one way or the other, we know you will not say the thing that is not, but you can give us something to hang an argument upon; you are not sworn to tell the whole truth; nor will you be bothered with questions by the other party. Say just as much for us as you can, with a safe conscience, and if you know any thing that will make against us, why you can just—leave it out."

Would you be willing that your cause should be decided upon testimony thus obtained, let the witness stand as high as he might? And if you would not consent to the reading of such an *ex parte* affidavit of a disinterested person, what would you say to evidence thus procured from one of the firm?

To enable you to judge how far our supposititious case applies to the testimony on which alone you are asked for a verdict of acquittal for Mr. Van Buren, let us turn to the history of the correspondence alluded to, and the circumstances which called it forth.

You are already apprised that the heads of a scheme for embodying a military force, similar in many respects to that given in detail by the Secretary, were reported by him to the President on the 30th November, 1839, and strongly recommended to the consideration of Congress by him in his message of 24th December following. In the month of February last, Mr. Rives, in a published letter, amongst other reasons why he could not support the re-election of Mr. Van Buren, mentioned this scheme for a military force. He spoke of it as it was presented by the heads set forth in the report of 30th November, and urged various strong objections to it. The campaign thus opened by Mr. Rives was followed up by Col. Campbell, son of that Col. Campbell who with Shelby led the militia at the battle of King's Mountain, and overthrew the Tories of that day. After these attacks, and in the midst of the excitement of the spring elections, Mr. Poinsett's details were communicated to Congress. This communication placed the measure fully before the people in all its deformity, and greatly added to the excitement. The administration party every where declared that it lost them thousands of votes. So sensitive was the editor of the Enquirer on this point, that he did not publish these details in that paper. He published only the recommendatory letter, so that instead of enabling his readers to judge for themselves by giving them the thing itself, he put them off with the praises of its projector. His omission was noticed by the opposition journals; still he would not publish "the details." They taunted him with his fears; still he was silent. Some gentlemen in Richmond requested him to publish those frightful details, and offered to pay for them as an advertisement; he refused. At length his friends, seeing that his refusal was doing as much harm as the hateful details themselves could possibly do, advised him to publish them. He promised to do so; but paper after paper issued, and no details appeared. In the mean time he put forth an ominous feeler: "what (he asks) would the Whigs say if Mr. Poinsett should take the responsibility on himself?"\* Seeing that his party would

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\* We have not the Enquirer before us, and mean only to give our recollection of the substance of the article.

gladly avail themselves of even this subterfuge, he next assures them that Mr. Poinsett will take the responsibility, and then comes the correspondence, two letters of which are published. How many more passed we are left to conjecture.

But further, the Hon. Secretary, if we understand the force of language, is involved in a self-contradiction; and it is proper as well to enable you to appreciate his testimony as to vindicate our own accuracy, that we should point it out. We said in our former address, that according to the details of his plan "the militia of western Virginia may be ordered to the banks of the Delaware or shores of the Chesapeake; those of Maine to Vermont; the men of Pittsburg to the banks of the Hudson; those of North Carolina to the swamps of Florida; the mountaineers of Tennessee to New Orleans; Kentucky to Indiana, and Ohio to Wisconsin, and *vice versa*."

This feature of the scheme staggered even the committee of the House of Representatives, to which it was referred; and in a letter from the chairman to the Secretary of the 6th April, 1840, he asks, "are we to understand that the President is empowered to call out the whole force of any one of the districts at the same time, and at any point which he may designate?" To which the Secretary replied on the 8th, that "the plan contemplated that the power of the President to call out the militia, should be *restricted* to assembling the militia of each State within its own territorial limits." In his letter to Mr. Ritchie he says that, according to his plan "the militia mustered for training, to be assembled in the neighborhood of depots of arms, to be established for the purpose, *each battalion within its own State, and as nearly as practicable in the centre of its district.*"

If this be true, then we were in error when we said, "the militia of western Virginia may be marched to the banks of the Delaware." We maintain, however, that we were right, and the Secretary plainly and palpably wrong; and for proof we appeal to the very 14th and 17th sections, to which his attention was specially called by the letter of the chairman of the committee.

The 14th section is in these words:

"That for the greater convenience of *instruction and discipline* of the active and sedentary force, the territory of the United States shall be divided into ten districts, which, until otherwise directed by law, shall be composed as follows:

| 1ST DISTRICT.  | 7TH DISTRICT.   |
|--|---|
| Maine, }<br>New Hampshire, } - - - - 9,200 men.<br>Vermont, }                          | Alabama, }<br>Mississippi, } - - - - 8,800 men.<br>Louisiana, }<br>Tennessee, } |
| 2D DISTRICT.   | 8TH DISTRICT.   |
| Massachusetts, }<br>Rhode Island, } - - - - 9,600 men.<br>Connecticut, }               | Arkansas, }<br>Missouri, } - - - - 2,000 men.<br>Iowa, }                        |
| 3D DISTRICT.   | 9TH DISTRICT.   |
| New York, - - - - 18,000 men.  | Kentucky, }<br>Illinois, } - - - - 7,400 men.<br>Indiana, }                     |
| 4TH DISTRICT.  | 10TH DISTRICT.  |
| New Jersey, }<br>Pennsylvania, } - - - - 13,200 men.                                   | Ohio, }<br>Michigan, } - - - - 9,200 men.<br>Wisconsin, }                       |
| 5TH DISTRICT.  |   |
| Delaware, }<br>Maryland, } - - - - 10,400 men.<br>Dist. Columbia, }<br>Virginia, }     |   |
| 6TH DISTRICT.  |   |
| North Carolina, }<br>South Carolina, } - - - - 10,000 men.<br>Georgia, }<br>Florida, } |   |

The 17th section is in these words:

"That the President of the United States be authorized to call forth and assemble such numbers of the active force of the militia, *at such places within their respective districts*, and at such times, not exceeding twice, nor \_\_\_\_\_ days in the same year, as he may deem necessary; and during such period, including the time when going to and returning from the place of rendezvous, they shall be deemed in the service of the United States, and subject to such regulations as the President may think proper to adopt for their *instruction, discipline, and improvement in military knowledge.*"

Now, if the words, "such places within their respective districts," mean "such places within their respective States," then we admit that the power of the President to call forth and assemble the active force, "is restricted to assembling the militia of each State within its own territorial limits." But so long as the word "districts" means "districts," and not "States," and so long as Delaware, Maryland, District of Columbia, and Virginia, form one of the ten "districts" into which the territory of the United States is to be divided, we shall insist that the power of the President to call out this militia "was not restricted to assembling the militia of each State within its own territorial limits," and that "the militia of western Virginia may be ordered to the banks of the Delaware and shores of the Chesapeake," &c. "*for instruction, discipline, and improvement in military knowledge.*"

The Secretary, in his explanatory letter addressed to the Speaker of the House of Representatives, says: "Soldiers must be taught their duties in *garrison* and in the field in marching and encamping, in the police and military administration of an army. The instruction so essential, and without which it is impossible to form the soldier, cannot be given in a day's training by officers nearly as ignorant of these branches of service as the men themselves—I speak of the generality of the officers. It must be imparted by veteran and skilful officers in *garrison* and in *camp to men and officers alike.*" How can this be done if "each battalion is assembled within its own State, and as nearly as practicable in the centre of its district?"

In the heads set forth in his November report, he says: "They are to be so drilled and *stationed* as to be ready to take their place in the ranks in defending the country, whenever called upon to oppose the enemy or repel the invader." Will this be effected by calling out the battalions at the centre of their own districts, and mustering there for ten or even thirty days in the year?

We will here take occasion to mention another equally extraordinary attempt to escape from the consequences of the proposal to invest the President with this unconstitutional power.

The sage chairman in the letter already quoted, says: "The interpretation of 'the territory of the United States,' is by some understood to mean the public lands and the District of Columbia, and cannot embrace the limits of the several States, unless there be a misconstruction of the letter of the Constitution, which declares 'a well regulated militia as being necessary to the security of a free State.'"

Now, here is a gentle hint to the Secretary that he may get out of the scrape by saying, that he meant to divide "the public lands and the District of Columbia" into ten military districts, for the convenience of instructing his active and sedentary force in military knowledge; that of these ten districts, thus carved out of "the public lands and the District of Columbia," Delaware, Maryland and Virginia, should be squeezed into the District of Columbia, and form one from which should be obtained 20,800 men, active and sedentary; leaving the unsold and unsettled public lands to be cut up into the remaining nine districts, into which the other twenty-three States and three Territories should be squeezed, and furnish the remaining 179,200 actives and sedentaries. To this sage suggestion the Secretary gravely replies, that the words "territory of the United States," as used by him, did not mean the public lands and poor persecuted District of Columbia, but "the area embraced by the geographical boundaries of the whole confederacy."

Reader, we are not jesting nor exaggerating. If you doubt our word, read the letters; they cover only three pages of the document referred to. Whether the Secretary has done better for himself than the friendly chairman wished to do for him, admits of question.\*

\* In Knickerbocker's history of New York, we read of a tavern-keeper who persuaded his guest that he had conjured a quart of wine into a pint decanter, and charged him accordingly. The chairman's estimate of the Secretary's powers of condensation, vastly exceeded the conjuration of our Boniface. Seriously, what shall we think of the chairman's estimate of the pliancy of the Secretary, and the gullibility of the people when he ventured on this suggestion.

We return from this digression to the correspondence. Before we proceed to its examination, it is proper that we should understand the real question at issue. That question is not whether Mr. Van Buren had any hand in drawing up the paper which was transmitted by the Secretary to the Speaker of the House of Representatives, designated by the Secretary as "the plan reported to Congress," or ever saw it; but whether Mr. Van Buren at any time before or after it was transmitted, *approved* of all or any of the monstrous principles which it involves; and if not all, what did he approve and what disapprove? It will be observed that ample time was given for the expression of this approval or disapproval. The details were called for by a resolution of the House on the 9th March; they were communicated on the 20th; were published in the newspapers; amongst others, in the *Globe*, (which we presume Mr. Van Buren reads;) were noticed in the journal of the House, a copy of which is daily put in his hands; produced the excitement already mentioned, and, as his friends said, lost the Virginia election.

Mr. Ritchie's feeler was not published until 1 day of May,\* and Mr. Poinsett's letter was not written until the 5th, nor published until the 12th day of June. During this interval, the Secretary and the President were inhabitants of the same city, sat at the same council board, and if we are correctly informed were, and continue to be, on terms of peculiar intimacy and friendship. Knowing as we do the real question at issue, and the ample power of the witness to speak directly to that question, let us see what he has said:

"The President concurred with me in opinion, with regard to the importance of re-organizing the militia at this time; but had no agency in preparing the plan *reported to Congress*, and no previous knowledge of its details. It was prepared as has already been stated, at the request of a committee of the House of Representatives expressed at the close of the last session, and reported to this Congress upon a call of the House, made directly upon the Secretary of War, and as is usual in *all* such cases, sent to that body without being previously submitted to the President; he, therefore, had nothing to do with it." The remainder of his letter is a defence of the scheme. Not one word is to be found which warrants the inference that Mr. Van Buren did not, when he composed his message of December last, and when Mr. Poinsett's letter to Mr. Ritchie was written, *approve* of the plan, details and all. The language of the Secretary is very guarded. He had in his report of the 30th November, 1839, furnished the President with the heads of his plan, and further said that he had the details *prepared and ready to submit to him*. He further suggested, and the President warmly seconded the suggestion, that the "*details*" necessary to give body and limbs to the gorgon, with a few exceptions, should not be submitted to Congress, but left to the President. Congress, after about ten weeks of consideration, expressed some curiosity to see the details, and on the 9th March called for them. The Secretary responded to the call on the 20th, taking eleven days to prepare his answer. Now, it is to be remarked, that he cautiously refers to "the plan reported to Congress," as the one in which the President had no agency in preparing. "*It*," he says, (that is, "the plan reported to Congress") "was sent to that body without being previously submitted to the President; he, therefore, had nothing to do with it." The Secretary further informs us, that this was done because the call was made directly upon the Secretary of War, and it is usual "*in all such cases*" not to submit the reply to the President. We shall show that this is an error, and produce both the Secretary and the President as witnesses to prove it. We shall also show, that so far from the statement that the *President concurred with the Secretary* in opinion, with regard to the importance of re-organizing the militia, that the President led the way, and was the first to suggest the most objectionable features in the "plan reported to Congress;" and we will also show other striking inaccuracies in the Secretary's letter.

If the people of the United States, upon the trial of this great question, enjoyed the right which the law secures to parties to the most trivial controversy, we would put to this witness a few interrogatories, which would point his attention to the real question at issue, and we doubt not that his answers would shift the burden from his own shoulders, on which his chivalrous devotion has placed it, to that of his leader and commander, the President. At least, he would have to take his full share of it. But as we have not the benefit of a cross-examination, we must resort to circumstances, from which inferences may be rationally drawn, and such direct proofs as we may be able

\* We have not the No. of the *Enquirer* by us, nor have we access to a file of that paper. We know, however, the feeler was in an *Enquirer* published during the month of May. We think, the latter part of May.

to find touching the fact to which this witness has not testified, to wit: the *President's approval of the principles of the Secretary's plan*.

The first circumstance to which we invite attention, is that the skilful secretary of the Central Van Buren Committee, when professing a desire to know Mr. Van Buren's views on this important matter, one which threatened to defeat his election, instead of applying to Mr. Van Buren himself, applied to his Secretary. Why was this done?

Surely Mr. Van Buren, although filling the exalted station of President of this great Republic, would not have refused to answer a civil question from a brother democrat. Especially when an answer, in the way his brother democrat wished him to answer, would contribute greatly to keep him in his high office. Why not, then, put the question plump and flat to the President himself—Do you now, or did you ever approve of this plan? If nay, please point out the difference between the heads which you so strongly recommended and these details? Why interrogate the man when the master was at hand? A great deal had been said about Gen. Harrison getting his friend Gwinn, who is not half as good a writer as himself, to answer one, out of a thousand letters. Why place Mr. Van Buren in the same predicament? No other answer can be given, than that Mr. Van Buren could not with truth give such a reply as would satisfy the people of the United States, and would not tie his hands upon a measure which he has pressed upon Congress at every regular session since his election.\*

We are told by the Secretary that Congress, "shortly before the close of the last session (38—9) expressed an opinion that the country was exposed to the hazard of being involved in war," and reposed "a trust and confidence in the President, unparalleled in the history of our Republic,"—that the militia was first to be looked to as the means of meeting the war if it should come, and that "the committee on the militia of the House of Representatives required him, through their chairman, to prepare a plan for the better organization of the militia of the United States."

He also tells us in his annual report of November last, that at "the close of the last session," the President felt "solicitude on the subject of the defences of the country on our maritime frontier." It appears, also, from the proceedings of the Senate, that on the 2d March a resolution was adopted on motion of Mr. Benton, requesting the *President* "to cause to be laid before the Senate, at the commencement of the next session, reports upon the military and naval defences of the country." His attention is pointed to the "fortifications, their armament," &c. &c. &c. information as to all which is asked, "with any other information or suggestions which the President may deem necessary to communicate to Congress, in order to exhibit a full view of what is necessary to be done, and the probable cost thereof, to place the United States in a proper state of defence, by land and water, and on each of the four great lines of defence which her frontiers present."

We are further told by the Secretary in his letter, that "no sooner had Congress adjourned, than the President *sensible of the responsibilities imposed upon him* by this act, and anxious alike to justify the confidence of Congress and discharge his duty to the nation, called upon the War and Navy Departments to furnish him with statements showing the condition of the *defences of the country*,"—that "called by the voice of Congress to defend the country," "it became the duty of the Executive to seek to organize and render efficient the only means of defence at hand," the militia.

The faithful Secretary labored upon his part of the task from early in March to the last of November. Did he, during this interval, have no conversation with the President about the organization of "the only means of defence at hand? Did he remain silent upon this important topic at all the cabinet meetings, and dinner and evening parties at which they met? Did the President's solicitude and sensibility of the responsibilities imposed upon him all evaporate? Did he forget, all of a sudden, that it was his duty to oversee, and that he was responsible for the entire action of the Executive Department? Did his duties cease when he called upon the War and Navy Departments to furnish statements? And was it thus that he sought to repay the "trust and confidence, unparalleled in the history of our republic," reposed in him by Congress?

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\* Since the above was written, the President's answer to the interrogatories propounded by Messrs. Cary and others, has been published. It fully sustains our argument. If it had been different, it would have come too late. After the answer of his Secretary had failed to satisfy the people, and his election was jeopardized by the measure, it would be quite too late to clear his skirts of it by a mere denial, contradicted as it would be by circumstances amounting to full proof. But he has done no such thing.

When, on the 30th November, the Secretary's Report was placed in his hands, giving the heads of a plan which he intended in his Message "strongly" to recommend to Congress—and informing him that the details were all drawn out, ready to be submitted to him—did he permit this Report to lie on his table from the 30th November to 24th December, without inspecting the details of the novel and monstrous system which he was about to give his sanction to, when half an hour's reading would put him in full possession of them?

If these questions are answered in a way to relieve Mr. Van Buren from participation in the Secretary's plan, he is totally unfit for his office. But they cannot be so answered. No man who has five grains of understanding, and one grain of candor, will so answer them.

This notable plan was attacked, in February, by Mr. Rives, subsequently by Col. Campbell, and others, and threatened disaster to the party. After all this, the details were called for by Congress, and would, of course, be published. If the paper containing them was not shown to the President before it was sent to Congress, it could only have been because he knew enough about them before. And here we will remark, that the reason given by the Secretary for sending in his Report to Congress without previously submitting it to the President, is not true in point of fact: and we prove our assertion by his own letter. In that production, he says, that "immediately after the passage of that act, (meaning that which conferred such extraordinary powers on the President) the Committee on the Militia of the House of Representatives required me, through their Chairman, to prepare a plan for the better organization of the militia of the United States." Now, he responded to that call by a Report to the President, and never intended to answer in any other way—and never would but for the resolution of the House, passed more than three months after his Report. So far from reporting his details, in pursuance of the call of the Chairman of the Committee, he, in his Report to the President, proposed that Congress should have nothing to do with them, but that they should be "left to regulation;" in other words, to Executive legislation.

We will detain you with one or two other instances of presumptive evidence.

So much of the President's Message as related to this subject, was referred to the Standing Committees on the Militia, in both Houses. They did not report until long after the commotion which we have alluded to, and after the notable attempt of Mr. Ritchie to cover the President's retreat. No. We are mistaken—we do the President injustice. He never has retreated; and, if we are to judge of him by his perseverance and success in carrying his Sub-treasury scheme, he never will abandon this measure. These reports, we say, were made after it was fully shewn that the proposed organization of the militia, or, rather, plan for a standing army, was doing great injury to the party, and when it was manifest that, in Virginia, if not in the whole Union, their success would be greatly advanced by satisfactory proof that the President disapproved of it. Something like such proof would have been afforded if these Committees had condemned the scheme in decided terms, and any of those members who are known to possess the confidence of the President had risen in their places and declared that the President had not given it his sanction. Nothing, certainly would have been easier than for the President to have furnished this proof. The slightest hint, the slightest whisper would have been sufficient. We aver, most confidently, that there is not one word in these reports, nor was one word uttered by any member of Congress, from which the slightest inference can be drawn, that this scheme had not the sanction of the President. So far from it, the reports consist principally of disjointed recitals of former plans for organizing the militia, feeble attacks upon General Harrison, and lame apologies for Mr. Poinsett and his plan. Not one word of condemnation of the outrageous violations of the Constitution in proposing to call the militia into the service of the United States, and place them under the command of the President and the officers of the regular army for *training*; and, instead of training them under the authority of the States, "according to the discipline prescribed by Congress," training them under the authority of the United States, according to the discipline prescribed by the President. Nothing of the anomaly of *training* the militia by substitute. Nothing of the obvious design to embody two hundred thousand mercenaries, and place them under the command of the President.

Again. If the doctrine of Gen. Jackson is to be reversed—if, instead of the President being responsible for the entire action of the Executive Department, the maxim of the British government is to be substituted, that the king can do no wrong, but the minister must answer, even with his head, why is the offending and responsible minister retained in office? Why does he yet retain the confidence which he has so grossly

abused? Why does he yet sit at the council-board? Why does he yet wield the military arm of the nation? Why is he yet the inmate of the palace, and the bosom-friend of the President? Why does he yet clothe himself "in purple and fine linen," at the expense of the people whom he would make slaves? We will answer these questions by furnishing direct proof that the scheme is all the President's—that it is the offspring of his teeming brain, and that the Secretary has not even borne the part of wet-nurse.

To enable us to see the points of resemblance between the plan called Mr. Poinsett's and that originated by Mr. Van Buren, and to appreciate the objections to both, it is necessary to have definite notions of a standing army and militia, as those terms apply to our peculiar political system.

By a standing army, as contradistinguished from *our* militia, we understand a permanent body of men, armed and equipped for war, instructed in military tactics, subdued by discipline to implicit obedience, the sole duty of a soldier—paid by the government of the United States, and commanded by the President. There is another characteristic of an army, which must be borne in mind. Where voluntary enlistment is resorted to, the ranks are filled with the idle and the profligate—men who have no ties to society; without property, without families, and careless for the future, they love only the hand that feeds them, and fear nothing but their commanders. Such are the instruments by which the monarchies and despotisms of the old world are sustained—such the means by which the millions of human beings who crouch at the frown and tremble under the lash of the despots of Europe, Asia and Africa, are kept in subjection. Organization, military skill, arms, treasure, on the side of the despot—on that of the slaves, countless numbers, indeed, but nothing more. Unarmed, destitute of military knowledge, without organization, and without money, resistance would but add to their calamities. Little wonder, then, that they bow the neck to the yoke, and thank God and their king that they are permitted to live. A late traveller, our fellow-citizen, Stephens, gives a conversation with an Arab, one of the subjects of the Pacha of Egypt, which throws more light upon this subject than a thousand disquisitions. The Arabs are a brave and martial race of men. Under the successors of Mahomet, they conquered Egypt, but are now held in subjection by the Turks, who constitute a very small portion of the population. The Pacha has, however, a powerful standing army, composed in part of Arabs, but subdued by discipline to implicit obedience. Speaking of the tyranny of the government, and the hopeless condition of the people, our Arab said—

"If one-fourth of them (the Arabs of Egypt) owned a musket, one charge of powder, and one ball, before morning there would not be a Turk in Egypt."\*

For want of even these, the Arab is a slave, and the Turk a master.

The population of Russia exceeds fifty millions—her army amounts to about one million—and this mighty mass of human beings obey the will of one man. With a vastly inferior force, Great Britain holds in subjection one hundred millions of Asiatics, and extends her giant limbs into the four quarters of the globe. Such are the nature and effects of standing armies.

As, from the nature and present condition of the human race, no nation can enjoy uninterrupted peace, a military force, of some description, is indispensable; and the wisdom of patriots and statesmen has been taxed to devise one which will be sufficient for defence and without danger to liberty. The wise and patriotic framers of our State and Federal Constitutions have hit upon the happy medium, which, if it be not departed from, will, as long as we are a united people, with our peculiarly favorable geographical position, secure to us and our latest posterity the blessings of liberty and peace.

This happy medium gives to the General Government a moderate permanent force, sufficient to garrison our forts, and form a nucleus for an army adequate to the emergencies of war, and places the chief reliance for the enforcement of the laws, the preservation of order, and resistance to the first burst of war, upon the militia, and gives that militia to the States. Its officers are to be appointed by the States—it is to be trained under the authority of the States—and neither the President, nor Congress, nor any officer of the General Government, has an iota of power over it, save only in time of actual *invasion*, rebellion, or resistance to the laws. For the sake of uniformity, Congress prescribes the discipline in which they are to be instructed. The militia are not to be used as the means of conquest, but defence only—not to invade others, but drive the invader from our own borders.

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\* Stephen's Travels, vol. 1, p. 138.



Instead of being composed of the idle and dissolute, men upon whom society has no ties, the ranks are filled by substantial citizens; instead of being reduced to that abject obedience which is the chief merit of a mere soldier, the men are subject to no more restraint than is sufficient for a moderate degree of instruction; war is not their trade; after a brief parade, sufficient to keep alive a military spirit, and give some notion of the first rudiments of tactics, they return to their ordinary employment and the bosom of their families. Those who have hitherto turned their attention to this subject, differ in the degree of instruction and discipline which it is necessary to impart to the militia. Military men (as might be expected) have favored a high standard, but none, save Mr. Van Buren, have ever dreamed of changing the essential character of the militia. No one but he has proposed to leave the great body of our citizens an unorganized, uninstructed, and unarmed, mass, and substitute a body of *volunteers* which must, and will, be drawn from the dregs of the People. He alone has dared to propose to take the militia from the States and transfer them to the United States, in other words, to himself; and by "thoroughly drilling them" by his officers, teach them "*the duty of obedience*," as that duty is understood by military men.\* So long as the system, so wisely framed by our ancestors, shall be left untouched; so long as our reliance shall be on the citizen soldier, and that citizen soldier shall belong to the States, and the power of the General Government and the elective monarch at its head, shall be limited to such a regular force as we have described, the President may seize the public treasure, with it he may corrupt the nation, but if there be wisdom and honesty enough left to withhold from him a strong military force he never can conquer our liberties. Let us return to Mr. Van Buren and see how far his plans for a "militia force" quadrates with the genius of our institutions, the Constitution of the United States, and the safety and preservation of our liberties.

Mr. Van Buren first met the Congress of the United States at the special session of 1837. That session was called for the single purpose of passing the sub-Treasury bill. His message is, therefore, principally occupied with that and kindred subjects. During that session, however, the Senate, on motion of Mr. Linn, adopted a resolution calling on the *Secretary of War* (not the President) for information to be given to the *Senate*, early at the next session, in regard to the defence and protection of the *western* frontier, &c. &c. On the 30th December following, the Secretary responded to this call, not by a report to the Senate never communicated to the President as he says in his letter to Mr. Ritchie was the practice in *all* such cases; for we learn from the message of the President that he had, as in duty bound, superintended the Secretary when he was preparing his reply to the call of the Senate. In that message, which preceded the Secretary's report by twenty-five days, he speaks of the report as one which "*will be*" submitted, and recommends the plan for defending the western frontier as one which may be advantageously adopted "as a general arrangement of the whole militia of the United States."

In that report the Secretary (after stating, in detail, the military works and regular troops necessary for the defence of the *western* frontier) says: "I would recommend, as an important auxiliary to this system of defence, the organization of a sufficient

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\* If any doubt remained of Mr. Van Buren's views on this point it would be removed by his late letter to Mr. Cary and others. In that letter he says "Nor is it believed that they would, in general, be properly *instructed* and *disciplined*, unless they are called out and received into the service of the United States;" whether this can be done without violating the Constitution, he thinks doubtful. "It is (says he) but lately that my attention has been particularly drawn to this subject; and as there is no doubt that the great men to whom I have alluded (Jefferson and Jackson, &c.) contemplated an organization of the militia, and provisions for its better instruction, embracing, substantially, the principles contained in Mr. Poinsett's plan, (an assertion which we utterly deny and will disprove,) it becomes me in the face of so much authority to *hesitate* before I pronounce *definitively* upon its constitutionality. I shall, I am confident, in the opinion of all candid minds, best perform my duty by refraining to do so until it becomes necessary to *act officially* in the matter. In the mean time I shall content myself with saying that the *inclination* of my mind is that the desired measure cannot be safely accomplished in the form proposed under the Federal Constitution as it now stands." Now if there be a proposition which admits of neither doubt nor hesitancy, it is that the power to train and command the militia is reserved to the States by the Federal Constitution as it now stands, and that they can only be called out by Congress and placed in the service of the United States, and, by consequence, under the command of the President, in the three specified cases *to execute the laws, suppress insurrection, and repel invasion*. Upon this vital provision of the federal compact, one without which the States would soon cease to exist, even in name, the President hesitates and doubts, and reserves himself until it shall become necessary to act officially!

volunteer force, to be raised in each of the frontier States; the men to be *mustered into service* for a certain term of time, the officers to be appointed according to their State laws, and to be instructed a certain number of days in each year by the *regular officers of the United States army*, at the posts within the States, and to receive pay during that period. In this manner a sufficient corps of officers may be created, and a body of volunteers be at hand to march to the succor of the *border* settlers, and repel the invaders, whenever they are called upon by the proper authority." This plan of the Secretary's was a *bona fide* scheme for the defence of the western frontier. He proposed forts and garrisons, and a kind of minute men to be raised in the frontier States as an auxiliary force. The only difference between them and the troops in garrison was the mode of appointing the officers, and the period of service; one being on constant duty, whilst the others, although "mustered into service" were only put on actual duty occasionally, as the exigencies of the country might require. They were soldiers, as contradistinguished from militia, and, therefore properly placed under the command of the officers of the regular army. The word militia is not to be found in the report. There was, therefore, no violation of the Constitution intended or committed. But if it be insisted that from the mode of appointing the officers it should be viewed as a militia force, still there was no violation of the Constitution, because they were "mustered into service," not for the mere purposes of "drill," but to repel apprehended invasion from the Indians. It was then, we say, a *bona fide* plan for defending the western frontier, and neither was intended to be, nor could be, used as a mask for a standing army, under the pretence of organizing the militia. It is to the President that we are indebted for the proposal to engraft this plan upon the militia, and make it coextensive with the United States. His sagacious eye saw, at a glance, how easy it would be, unperceived by the People, to build up a standing army of mercenaries on the small foundation of the Secretary's plan. In his message, which, as we have said, preceded this report by twenty-five days, having called the attention of Congress to the subject of the militia he says: "The provision of the Constitution that renders it necessary to adopt a uniform system of organization for the militia throughout the United States, presents an insurmountable obstacle to an efficient arrangement by the *classification heretofore proposed*, and I invite your attention to the plan which *will be submitted*, by the Secretary of War, for the organization of volunteer corps, and the instruction of militia officers, as more simple and practicable, if not equally advantageous as a general arrangement of the whole militia of the United States." Adopt this recommendation, take the plan of the Secretary for raising volunteers, and mustering them into the service of the United States, *substitute it for "the classification heretofore proposed"* "as a general arrangement for the whole militia of the United States" and you have the substance of the plan for organizing the militia, miscalled Mr. Poinsett's, with most of its objectionable details. Instead of making the citizen the defender of his own hearth, and protector of his own liberties, the great body of the People are to be left an unorganized mass. "The classification heretofore proposed" is to be yielded, and the defence of the country is to be entrusted to volunteers mustered into the service of the United States in time of peace and quiet, thereby subjected to the rules and articles of war, paid by the United States, withdrawn from the States and placed under the command of the President, and such officers of the regular army as he may put over them. The plan certainly deserves the praise of simplicity and efficiency, which he bestows upon it. Nothing is more simple than to enlist "volunteers" and make soldiers of them by the drill sergeant; nothing more efficient than trained bands of mercenaries.

On the 28th of November, 1838, a year after the President's suggestion, the Secretary made his second annual report. It is addressed to the President, and, like the other, had doubtless, been prepared under his supervision. He again recommends the plan of frontier defence contained in his former report, and, for the first time, uses the word "militia" in connexion with that plan, and adopts the President's suggestion of extending it "so as to embrace the whole militia of the United States." It is then that he first intimates that "the whole militia of the United States will be found too unwieldy a body to be successfully organized at once by any plan that can be devised, and for some time to come;"† thus reiterating the President's objection to the effi-

\* He is still opposed to the plan of "classification," and, of course, adheres to his volunteers. (See his late letter.)

† The President, in his late letter, adheres to this feature also; he thinks the militia too numerous, and is in favor of training two hundred thousand, and leaving the mass to train themselves.

ciency of an "arrangement by the classification heretofore proposed." He proposes to begin by "enrolling twenty thousand men, taken from among the inhabitants and settlers of the frontier, and the country around the permanent stations in the interior," and "if it work well" extend it "so as to embrace the whole militia of the United States." We give the entire passage.

"I have seen no reason to change my views as to the proper organization of the militia or volunteer force, to serve as auxiliaries to the system proposed for the defence of the maritime and inland frontier. It would, doubtless, be desirable to adopt some uniform system of organization, which would render effective the whole militia of the United States; but no plan has yet been suggested that can be carried into effect throughout the whole of our extensive country. That which appears to present the greatest advantages, and has been frequently pressed upon the attention of Congress by my predecessors in office, appears to me to be only applicable to the thickly-settled portions of our country; for, if it were attempted to divide the militia into classes, in some parts of our Southern country, and on our borders, where their services are most likely to be required, it would be found difficult to assemble a single company of the junior class within a space of one hundred miles. It is to be feared that the whole militia of the United States will be found too unwieldy a body to be successfully organized at once by any plan that can be devised—and for some time to come. It had better be left to the direction of the several States, adopting only a uniform armament and uniform drill, *until a system be introduced on the frontiers which may be gradually extended over the whole country.* A commencement may be made by enrolling twenty thousand men, taken from among the inhabitants and settlers of the frontier and the country around the permanent stations in the interior. Six consecutive days in the year would be sufficient for their drill, provided the commissioned and non-commissioned officers be assembled at the nearest military post for the term of thirty days in the year. During the time the privates and officers are in service, they should receive the pay and rations of soldiers and officers of the army of the same grade respectively. These forces will not be withdrawn from the States where they are raised, and may be called into service by the Governor, upon the requisition of the President. In this manner would be formed a well-disciplined body of militia, capable of acting as an auxiliary force both to the regulars stationed in the four points above designated, and to the garrisons stationed in the maritime and frontier fortresses, *and a system commenced, which, if it work well, may gradually be extended so as to embrace the whole militia of the United States.*"

In his annual Message of the 4th December, 1838, which was accompanied by the above Report, the President says, "I would again call to your notice the subjects connected with, and essential to, the military defences of the country, which were submitted to you at the last session, but which were not acted upon, as is supposed, for want of time. *The most important of them is the organization of the militia on the maritime and inland frontiers. This measure is deemed important, as it is believed that it will furnish an effective volunteer force in aid of the regular army, and may form the basis of a general system of organization for the entire militia of the United States.*"

Congress still manifested no disposition to give to the President this entering wedge to an army of volunteers as a substitute for the militia. As the session drew to a close, we learn from the Secretary's last Report that the President felt "solicitude" on the subject, and the military gentlemen of the two Houses were set in motion. Colonel Benton introduced his resolution in the Senate, and the Militia Committee of the House, through their Chairman, requested the Secretary to go to work on a plan for organizing the militia. Impatient of the delay which had already taken place, and strong in the certainty of the passage of the Sub-Treasury bill, which would give him the command of the purse of the nation, a bolder line of tactics was adopted, and, instead of commencing with enrolling twenty thousand men on the frontiers, and gradually extending the system to the "entire militia of the United States," the whole plan is brought out at once, and Congress is asked, by the President, to authorize the raising of two hundred thousand "recruits," (we use the language of the Report) and to "fix by law" the "manner of enrollment, the number of days of service, and the rate of compensation," and leave the details to "regulation," that is, to be "fixed" by the President!!! This demand is referred to the appropriate Committees, and, after a lapse of three months, a plan of the "details" which the President proposed to reserve for himself, is called for and communicated to the House. These details carry out the very plan suggested by the President as far back as December, 1837, and the nation is told by his supporters that he is not responsible for them!!!

If there be any remaining doubt of the identity of the plan first recommended by the President, in 1837, again pressed upon Congress, in 1838, with that the heads of which are set forth in the Report of the Secretary of War, of 30th December, 1839, and a third time strongly recommended by the President on 24th December of that year, an article which appeared in the *Globe* of the 2nd January, 1840, must remove that doubt. That familiar of the palace, and organ of the President, recognised his old acquaintance at the first glance. The faithful editors had, as in duty bound, given the weight of their endorsement to the President's recommendations of 1837 and 1838; and, speaking of the plan set forth in the Secretary's Report of November, 1839, then recently sent to Congress, with the President's "strong" recommendation, they say: "This document does the author much credit. It recommends a new organization of the militia, and adopts the plan of classification *which we long since urged upon Congress.*" It was *new*, indeed, to our militia system, but an old acquaintance and friend of the *Globe*.

Having traced this scheme to the President himself, it cannot be necessary to dwell on the remaining propositions which we have undertaken to make good. We will, however, redeem our pledge.

We said we would prove that it was sustained and lauded by his supporters, until the People condemned it. Now for the proof. The last Report of the Secretary of War was transmitted to Congress by the President, on the 24th December, 1839. A synopsis of the proposed plan for organizing the militia was published in the *New York Journal of Commerce*, with strong commendations. This article was republished in the *Globe* of the 2nd January, 1840, accompanied by the following editorial, part of which we have already quoted:

"THE REPORT OF THE SECRETARY OF WAR.—This document does the author much credit. It recommends a new organization of the militia, and adopts the plan of classification, which we long since urged upon the attention of Congress. The United States to be divided into eight military districts—each district to have an active force of 12,500, and an equal number of reserve—the total making 25,000. *These troops to be thoroughly drilled, and continue eight years in service*—four in the active service, and four in the reserve: at the expiration of eight years to be *exempted from military duty*, except in cases of invasion or imminent peril. One-fourth of the active to pass annually into the reserve, and new *recruits* to supply their places—one-fourth to retire annually from service. This corps is to be *embodied* as the national guard, and receive pay, and will constitute one-seventh of the militia of the United States. The other six-sevenths will have no military duty to perform, only to be mustered at long and stated intervals."

Mr. Rives attacked the scheme in February. He was assailed in the *Richmond Enquirer* by a writer who is known to fill a public office in Washington. The denunciation of this measure by the Whigs, was every where, by the Van Buren party, called a "humbug,"—their objections to the novel and alarming features of the scheme were stigmatized as shameless attempts to deceive the people. At length Mr. Poinsett's details were published—they were exposed, as we have already said, by Col. Campbell. In the *Globe* of the 27th April, that gentleman was assailed in the usual style of that print. The article commences thus:

"THE MILITIA BILL.—A recent letter from John Campbell, late Treasurer of the United States, (out of whom the Whigs, strangely, as it seems to us, yet suppose that something can be made) contains an allusion to that measure strikingly illustrative of the shameful uses which have been made of the subject in the recent elections in Virginia, and of the scandalous attempts to deceive the People."

This was more than a month after Mr. Poinsett's details were sent to Congress.

On the 1st May, another editorial article, filling more than a column, is devoted to a defence of the plan; and others of similar character may be found in the same print. One is republished in the *Enquirer* of May 8th—the editor had not then conceived the necessity of a retreat. It begins thus:

"We would call attention to the following extract from the address of the Democratic Committee for the County of Columbia, in Ohio. The extract has particular reference to the outcry of the Feds against the *military* scheme of the Secretary of War—plainly showing it to be another attempt on their part to delude the people by a *senseless clamor.*"

The extract to which the attention of the readers of the *Globe* is called, begins thus

"Another subject which demands our notice, and which, for the last six months,

has been the theme of Federal denunciation and patriotic horror, arises out of the proposition of the Secretary of War, Mr. Poinsett, that Congress should provide for the more effectual organization of the militia."

It then goes on to defend it. The following endorsement of the bill is taken from a New Orleans Van Buren paper, the "New Orleans Times:—"

"STANDING ARMY.—We are convinced that nothing could so much endear the Administration of Mr. Van Buren to the people of Louisiana as the project of the Secretary of War to classify and organize the militia of the whole Union, after an effective and uniform plan; and nothing could render the British Whigs so odious as their foolish attempts to misrepresent it, and convert it into a scheme for raising a standing army. The British Whig newspapers are so much degraded in the public eye, that the accusation would not be believed even if it were true."

Another:

"THE STANDING ARMY.—The foolish Whigs will never have done with their *humbugs*, even after the woful experience they have had of their inevitable tendency to recoil upon themselves. They are now making a labored effort to turn Mr. Poinsett's able and effective plan of organizing the militia of the United States into a scheme for raising a standing army of two hundred thousand men. The people of Louisiana will spurn this attempt to misrepresent a *judicious organization of the militia*. *They know what the common militia is*, and they know what it ought to be. But we shall show, in due time, that Mr. Harrison supported a much more objectionable plan of militia organization than that of Mr. Poinsett."

The Van Buren paper recently established in our own village, followed the lead of the Globe. Various articles may be referred to in proof of this. We will select two from that paper of 9th May, before the retreat was sounded. On the 1st page, we find a long article in defence of Mr. Poinsett's plan, republished from the "Valley Star." Its title is, "The great Whig Humbug about the Standing Army exploded,"—and proceeds—

"Ever since the appearance of Mr. Rives' letter, avowing his determination to sustain Gen. Harrison for the Presidency, the whole land has been ringing with the cry of a "standing army." Whig orators and Whig electioneers have been traversing the country in all directions, calling upon the people to oppose the re-election of Mr. Van Buren. The recommendation of the President and the Secretary of War, urging upon Congress the reorganization of the militia, has been declared to be most monstrous—a gross attack upon the liberties of the People."

Then follows an attempt to defend the measure. Fearful that this precious morceau should escape the attention of his readers, the editor of the Jeffersonian thus calls attention to it:

"On the first page, the reader will find an able refutation of the Federal *slander* of a "standing army." We have understood that in this, as well as in many other counties of the State, this *contemptible misrepresentation* was effectively used to prejudice the people." \*

These are but samples of the support which the party press gave to this measure. A volume might be filled by similar extracts from papers published all over the Union. The leaders of the party manfully supported Mr. Poinsett and his details. We speak of those of our own county from personal knowledge. One gentleman, who is amongst the most active, and nearly connected with a leading politician in another State,† upon being asked, by a Whig, how he liked Mr. Poinsett's details, replied emphatically, "I endorse them—I am willing to live under them—fight under them—die under them."

The Van Buren elector for this district openly defended them, one and all, and devoted more than an hour of his public speech, at the Fauquier June court, to their defence.

Upon the publication of our first address, there was a regimental muster at Warrenton, our county town. In the early part of the day, the active men of the party were

\* The reader cannot but be struck with the disregard of ordinary decency in the language employed by these prints.

† He is the brother of the Van Buren candidate for Governor of North Carolina.

profuse in their promises of a reply to us, until a sagacious gentleman, from the lower end of the county, said, "Gentlemen, that will not do. The people won't take this bill: your best plan is to deny that Mr. Van Buren had any hand in it;" and proposed that some of the most prominent should write, and procure a disavowal from under the President's own hand. They would not venture upon so decisive a step; but gave the order, "To the right about." They had the good fortune to find, by that evening's mail, that the editor of the *Enquirer* had given the same cue. The gentleman alluded to, has a right to share the credit of the measure.\*

But, fellow-citizens, will *you*, who have hitherto honestly supported the party, "turn about, and wheel about, and twist about," at the word of command? We submit, for your serious consideration and candid reply, another question, and that is, whether you believe that this measure would have been abandoned if the people could have been persuaded that the opposition of the Whigs was all humbug, and "another attempt on their part to delude the people by a senseless clamor," as the Jeffersonian would fain have persuaded them. It is not abandoned; and, as sure as Mr. Van Buren is re-elected, it will be revived.

If Mr. Van Buren intended to abandon this important feature of his policy, and deprive himself and the party for which he is bound to labor as well as for himself, of the means of perpetuating their power, which this measure will afford, there would be no want of proofs the most ample, of such an intention. Thousands of his zealous partisans have visited and conversed with him during the late protracted session of Congress; they must have fully informed him of the effect which his recommendation of this measure was likely to produce on the pending canvass. Those conversations, as well as his extensive correspondence, afforded him opportunities without number to disavow the measure; or if he could not do that with truth, as we have shown he could not, at least *profess* so much deference to public opinion as to yield for once to the wishes of the people. Yet no letter-writer, no party editor, no stump speaker, has dared to utter any thing of the kind as coming from the President. On the contrary, we know of one at least, of those, who, if elected, is pledged to vote for Mr. Van Buren, who always has been, and still is, the open advocate of the militia bill. Wewell remember his words: "There are some of its provisions," said he, "of which I do not approve; but I do not consider it liable to the objections which have been made to it." What the provisions were which he did not approve of, he did not specify, but went on to answer as far as he could, the objections of the Whigs. Essays by party writers, palliating the measure and denying its tendency to the establishment of a standing army, may be found in the columns of the *Richmond Enquirer*, subsequent to the retreat of its editor. The movement of that gentleman himself, was far from being unequivocal. His letter to the Secretary calls for an *explanation and defence* of the measure, as well as for information of the President's knowledge of the "plan reported to Congress." The Secretary goes into an elaborate defence of his plan, adhering to it throughout; and the editor expresses his entire satisfaction with the letter, leaving us in doubt whether his satisfaction arose from the exoneration of the President, or his conviction of the wisdom of the plan by the arguments of the Secretary. If the President meant to yield this measure to the people, why did he not cause his majority in both Houses of Congress unequivocally to repudiate it. So far from doing this, he has, through the reports of those committees, expressly reserved the measure for future action, and by his servant, the Secretary of War, made a direct appeal to the people at the polls.†

We will begin with the report of the committee of the Senate; but before proceeding to examine it, we will call your attention to a striking fact in connection with it. Some time after this report was made, Senator Roane moved to print 20,000 extra copies of it, for the purpose of disseminating it among the people. The *subject* of the report was Mr. Poinsett's militia bill; in treating of it the committee *comment* upon the reports of Generals Knox and Harrison. Mr. Webster said he had no objection to Mr. Roane's motion, provided the reports of Generals Knox and Harrison, and Mr. Poinsett's plan, were printed along with the report of the committee, so that the people, having both the text and commentary, might judge whether the commentary dealt

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\* We submit to our sagacious friend, who is in earnest in the opinion that this plan for a militia army is indefensible, whether he now thinks that Mr. Van Buren "had no hand in it?"

† In his late letter he endorses those reports, approves of their views, and calls them "able reports."

fairly with the text. Mr. Roane objected, and after a long debate Mr. Webster's proposal was rejected by a party vote. It was not to save the dear people's money that this was done, for Mr. Clay of Alabama, chairman of the committee, and author of their report, concluded his speech against printing them together, with a motion to print them separately, satisfied if the Van Buren members could send *his* report to the elect, unincumbered by the troublesome information which Mr. Poinsett's details would afford, and the contradiction which the reports of Harrison and Knox would give to his commentary. Here is a practical illustration of the extent to which their leaders think the democracy capable of judging for themselves.

The report of the committee of the House, carried the tactics of the party a step farther, and misquoted the President's message. It represents the President's message as having only recommended the "subject" of the militia to the consideration of Congress, whereas, he, as our extract from his message shows, strongly recommended to their consideration the "plan" of the Secretary. And these are the men who sing the cuckoo song, "the people are capable of self-government!" Which party desires that the people should exercise that high function understandingly, the above proceedings of the Senate may serve to show. To proceed :

The subject was before that committee from early in the session to the 3d of June, when the report was made. We have carefully examined that report, and have been unable to find a word, a single word, which condemns or reproves, or dissents from the novel, dangerous, and unconstitutional features of the plan. It commences by saying that the committee thought proper to examine the subject, "in reference to the powers of Congress." This examination would have brought directly under review the constitutional objections made by the Whigs, and afforded an opportunity, nay called for, an unequivocal expression of the opinion of the committee on those features of the plan. They content themselves, however, with giving extracts from the Constitution containing six lines, and hurry to the second branch of inquiry which they propose to themselves, to wit: "the various plans which have been proposed, and such measures as have been adopted and matured at different periods since the adoption of the Constitution."

In the progress of this review of the various plans and measures which have been proposed and adopted, the plan of the Secretary is occasionally brought into comparison, and always with a preference for that plan. Far the greater part of the report is occupied in attempts to prove its title to preference over the plans of Gen. Harrison ; and so far from condemning the proposal of the Secretary, to place the militia under the command of the officers of the regular army, it expressly approves the device stated by the Secretary in his letter to the chairman of the committee of the House, to obviate the constitutional difficulty which was raised to this feature of the original scheme ; a device equally unconstitutional with that which it is proposed to substitute. The original plan proposed that this should be done by the power of "regulation" to be confided to the President. The details sent to Congress, proposed "that it should be done by act of Congress," and the report informs us (vide p. 5) that in the communication alluded to, (the letter) and doubtless with a view to obviate all constitutional objections, the Secretary speaks of his purpose "to apply to the States to place by law their contingents at the disposition of the General Government, for a period of not more than thirty days of every year, for the purpose of being trained in conjunction with regular troops, and by veteran officers ;" and with this device the committee seem perfectly satisfied.\* The committee of the other house were equally satisfied with this succedaneum.

Now, fellow citizens of the militia, do you think it would much ameliorate your con-

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\* The President, in his late letter, adverts to this device. He says, "Mr. Poinsett seems to have been more sensibly impressed with this obstacle than his predecessors, [a statement entirely without foundation, for so great an obstacle did his predecessors consider the Constitution, that not one of them ever proposed to call out the militia into the service of the United States for training ; they all explicitly acknowledged that the Constitution not only denied that power to Congress, but reserved it expressly to the States, as we shall show in the sequel] and endeavors to overcome it by placing his chief reliance on volunteers, and where drafts are necessary he proposes that they should be made by the States themselves. But can the constitutional objection be thus avoided ? Can Congress appropriate money for objects to which their authority does not extend ?" These questions he leaves others to answer, reserving his own "until it becomes necessary to act officially in the matter."

dition, when taken from your homes and marched to the shores of the Chesapeake, or the banks of the Delaware, and placed under the iron sway of those despisers of the militia, the officers of the regular army, that you had marched in obedience to the command of the State, rather than the United States? Would it be a consoling reflection, when placed in solitary confinement, chained to a cannon ball, or mounted upon a fence rail with muskets tied to your feet, that the authority of your own State, to whose guardianship the Constitution framed by your fathers confided you, had subjected you to the pain and humiliation? That instead of placing you under state officers, your neighbors and friends, and protecting you with a parent's care, it had renounced the trust, and handed you over to the tender mercies of a court martial composed of strangers, selected and controlled by men familiar only with the rigor of military discipline, and taught to look upon human suffering with indifference?

\* The proposed substitute is not only a cruel mockery, but it is as gross a violation of the Constitution as that in lieu of which it is proposed. The Government of the United States is the creature of the Constitution. No department or officer of it, can exercise any authority which is not derived from that instrument. No additional power can be conferred upon it, but by an amendment of the Constitution in the mode prescribed. And if any State can be found base enough to abandon the protection of its citizens, by transferring to the General Government a power not only not granted to it, but expressly reserved to the States, as the training of the militia and the appointment of militia officers, the dereliction of duty can only be accomplished by a violation of the federal compact. Yet we learn from the report that it was contemplated, and is still designed, to bring the power and influence of the President to bear upon the State Legislatures, to accomplish this very purpose; and that "it is not probable that this co-operation will be withheld by any State."

Shallow as this device is, it is to be resorted to only "in the event of its becoming necessary to resort to draughts in order to fill the ranks of the active class of the militia."<sup>\*</sup> If the "ranks" can be "filled" with volunteers, they are the President's "*troops*," as the Globe calls them. The Secretary says, he is "led to believe, from the character of our fellow citizens, and from circumstances which have come to his knowledge, that it will scarcely be necessary to resort to militia draughts in order to fill the ranks of the active corps,"<sup>†</sup> in which case it will not be necessary "to apply to the States to place by law their contingents at the disposal of the General Government." And this army of 100,000 men in "active service," to be re-enforced by 25,000 as "a reserve," annually increasing until the whole shall amount to 200,000, placed "at the disposition of the General Government" by act of Congress, without the agency of the States, paid by the General Government and commanded by the President, he calls militia!! Militia!! Was ever the common sense of mankind so insulted? And the Senate committee think it "obviates all constitutional objections!" Call it by its true name, a standing army of mercenary soldiers, and it does no violence to the Constitution. The power of Congress to raise and equip armies, is without limit. For ourselves, we are "led to believe" that these volunteers will require a bounty, as well as pay, and that the bounty will be levied upon the militia. To return:

If any doubt yet remains that the committee of the Senate looked upon this measure as one that was to be again brought forward, the following sentence must remove it: "With so many instances of fruitless attempts to change our militia system before them, your committee are not prepared to adopt the plan recommended by the Secretary of War, nor to make any other material change in the organization of the militia AT PRESENT." No, not yet exactly prepared to meet the people with this plan enacted into a law. It would be rather hazardous "at present." But let Mr. Van Buren be re-elected; let the efforts of the Whigs to arrest the career of despotism and ruin be overcome; let the party be firmly seated in power; and the committee will doubtless be then prepared to "adopt the plan recommended by the Secretary," or any other which is equally full of promise of the means of perpetuating that power.<sup>‡</sup>

Let us return from the report of the committee of the Senate to that of its twin brother, the report of the committee of the House. We shall find the family resemblance so strong, that we shall have no difficulty in assigning them a common paternity. The last named report commences with commendations of Mr. Poinsett's plan. It tells us in the very first sentence, "that on due consideration of the subject committed to them, they find it to correspond in its essential particulars, with the plans and sug-

\* Letter to chairman of com. H. R. April 8th, 1840. † *Ibid.*

‡ See Note A, at the end of the Address.



gestions recommended to Congress by General Washington, Mr. Jefferson, Mr. Madison, and General Jackson, and to differ in some of its details only, from those heretofore presented by the former Secretaries of War, General Knox, James Barbour, and Lewis Cass." An assertion which we shall show is entirely without foundation. Like its relative, it gives a garbled and unfair account of the measures adopted, and plans proposed, by others, with which Mr. Poinsett's compares advantageously, as the committee think, and that gentleman is lauded for his courage and chivalry.

As the members of this committee have to meet the people at the polls, an ordeal which Hon. Senators have not to pass, they venture in a sort of under tone to express their *belief*, that the powers necessary to produce an efficient militia, "are divided between the General Government and the States," and that "nothing can be done *effectually* by Congress, unless the foundation of it shall be laid by the previous action of the States," and ask to be "discharged from the further consideration of the subject." Like their brethren of the Senate, they express their satisfaction with the Secretary's explanation of the "doubts entertained by the committee, in regard to the constitutionality of some of its provisions, by declaring that the department contemplated asking the consent of the States, *if it should become necessary, to call for drafts of the militia to fill the ranks of the class to be engaged in training, and to place its chief reliance on volunteer companies.*"\*

Now, here is not only a direct approval of the leading features of the scheme, to wit: the substitution of volunteers collected from the rabble of the cities in place of the militia—the mercenary hireling for the citizen soldier—but an equally clear intimation that the subject is not dropped but postponed, to the end that the President may induce his servile tools in the State Legislatures to lead the way, as was done on another memorable occasion. But what places the fact beyond all doubt, is, that in this very letter of the Secretary, which was so satisfactory to both committees, and which no man who will give his understanding fair play can doubt, was approved by the President, he expressly refers the matter to the people at the polls. Hear what he says, and we beseech you, give it a full and impartial consideration: "Aware, however, of the importance and comprehensiveness of this subject, together with many of the difficulties which surround it,† it is by no means my desire to precipitate the action of Congress upon a question of such magnitude and consequence." (It is indeed a subject of immeasurable magnitude and most portentous consequences.) "Subsequent reflection and discussion have but strengthened my conviction of the propriety, practicability, and expediency of the proposed plan in its essential features, which I am persuaded have but to be examined, with a candid mind and patriotic feelings, to secure general approbation. But these very considerations make it but the more imperative that it should receive the fullest and most mature consideration, even should this have the effect of preventing final action upon it at the present session of Congress. It is perhaps, universally proper, that questions involving in a high degree the great interests of the people, should be subjected to *popular*, as well as legislative investigation. An ordeal to which the system proposed will be most cheerfully submitted." Here then is an open, avowed, and distinct appeal to the people at the polls.

Mr. Van Buren has now a majority in both Houses of Congress; the events of the last session prove that they are ready to go all lengths with him. They have passed his Sub-Treasury bill after it has been repeatedly condemned by the people. If the members of Congress who represented districts which at the last spring elections condemned the measure, by electing Whigs, had voted according to the opinions of their constituents, thus made known at the polls, it would have been lost. Five-sixths of the members from New Jersey, who were regularly returned, and whose political opinions accorded with the majority of the people of that State, manifested by their elections of the members of the State Legislature, were lawlessly ejected, and their seats given to others [who, even if they had a lean majority at the Congressional election, a fact not inquired into by the House, misrepresented the present opinions of their constituents] in order to pass that measure. Five members from Virginia voted for it, who represented districts which at the last spring elections gave majorities against the Administration. The same thing existed with regard to other States. And if this measure, again and again condemned by the people, was carried

\* Rep. p. 2.

† Not the least of these was the alleged "Whig humbugs," in opposing it.

in spite of them, can any man who will allow himself to think, doubt, if after this solemn appeal to the people on this militia bill, admitted to be of "such magnitude and consequence," that it should be "subjected to *popular* as well as legislative investigation," its originator and patron, who has thrice recommended it to Congress, should be re-elected, it will be abandoned? If there be any such, we can only deplore his blindness, for we know of no healing unction that will make the scales fall from his eyes.\*

We proceed to redeem the remaining portion of our pledge, to wit: "That the scheme indicated by the heads, contained in the Secretary's report to the President, dated 30th November, 1839, and communicated by the latter to Congress, on the 20th December following, endorsed by his *strong* recommendation, in every essential particular in which it varies from the details communicated by the Secretary to the Speaker of the House of Representatives is *worse than those details*." Those portentous heads are exhibited in the following extract from the Secretary's report:

"It is proposed to divide the United States into eight *military* districts, and to organize the militia in each district; so as to have a body of twelve thousand five hundred men in *active service*, and another of equal number as a reserve. This would give an armed militia force of two hundred thousand men, so *drilled* and stationed, as to be ready to take their place in the ranks in defence of the country, whenever called upon to oppose the enemy or repel the invader. The age of the recruit to be from twenty to thirty-seven; the whole term of service to be eight years; four years in the first class, and four in the reserve; one-fourth part (twenty-five thousand men) to leave the *service* every year, passing, at the conclusion of the first term, into the reserve, and exempted from ordinary military duty altogether at the end of the second term. In this manner twenty-five thousand men will be discharged from militia duty every year, and twenty-five thousand fresh *recruits* be received into the *service*. It will be sufficient for all useful purposes, that the remainder of the militia, under certain regulations provided for their government, be enrolled and mustered at *long* and stated intervals; for, in due process of time, nearly the whole mass of the militia will pass the first and second classes, and be either members of the active corps or of the reserve, or counted among the exempts, who will be liable to be called upon only in periods of invasion or imminent peril. The manner of enrolment, the number of days of service, and the rate of compensation, ought to be fixed by law; but the details had better be subject to regulation—a plan of which I am prepared to submit to you."

We will first note the points in which they agree.

The heads propose a force of two hundred thousand men; so do the details: the heads propose that it shall be divided into distinct corps, one "active," the other "reserve;" so do the details: the heads propose that the age of the "recruit" shall be from twenty to thirty-seven; so do the details: the heads propose that the whole term of service shall be eight years, four in the first class, and four in the reserve; so do the details: the heads propose that one-fourth, twenty-five thousand men, leave the service every year, first passing into the reserve, and at the end of the second term to be exempt from ordinary militia duty; so do the details: the heads propose that the remainder of the militia shall be mustered at *long* intervals; so do the details. According to the heads this army is to be in the pay of the United States; so say the details also. We objected to the details because the militia was to be called into the service of the United States for "drill," and placed under the command of the President. If the heads do not propose this they do worse. They propose a body of twelve thousand five hundred men from each district "*in active service*;" that the term of "*service* be four years in the first class, and four in the reserve;" one-fourth part to leave the "*service*;"

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\* The President's late letter removes all doubt upon this subject. He thinks a new organization of the militia is necessary; objects to the plan of classification; is in favor, of course, of volunteers; thinks that they ought to be in the pay of the United States, and called out and placed in the service of the United States for training, as the only means of imparting proper "instruction and discipline," and consequently be under his command; hesitates about the constitutionality of the measure, but reserves himself until he shall be called on to act officially. The committee of the House propose to wait until the States can be put in motion. The committee of the Senate are not "prepared at present" to act; and Mr. Poinsett appeals to the people at the polls!! With these facts before him, can any man, not blinded by intolerable prejudice or hurried on by passion, doubt that this measure will be again brought forward if Mr. Van Buren is re-elected?

and "twenty-five thousand fresh recruits to be received into *service*." Into whose *service* we demand? Into the service of the United States, without all doubt. Once in the service of the United States, and they are, by the Constitution and present laws, under the command of the President and such officers of the regular army as he may select, of senior grade to the militia officers on duty, at any place at which the militia may be "stationed." In the service of the United States for what? Either as regular troops, or militia for "drill." If as the former, the Constitution is not violated, but it is a standing army in name as well as effect. If as militia for drill, then the Constitution is violated, because it authorizes the militia to be called into the service of the United States, only "to execute the laws of the Union, repel invasion, and suppress insurrection." Take either horn of the dilemma: if the first, then the heads are worse than the details; if the latter, they agree in this particular also.

We objected to the details because they subject the militia, in time of peace, to the rules and articles of war.

So soon as the militia are "in the service of the United States" they are *ipso facto*, by the existing law, under the rules and articles of war. The heads and details agree then in this also.

We objected to the details because the United States is divided into *ten* districts, and the militia are called out by districts and not by States. In this the heads are *worse* than the details; for they propose to divide the United States into eight districts, and call out the militia by districts, and not by States. "It is proposed to divide the United States (say the heads) into eight military districts, and to organize the militia in *each* district so as to have a body of twelve thousand five hundred men in active service, and an equal number as a reserve."

We objected to the details because, as a part of the district system, the militia might be marched from any one State to another in the same district. In this respect the heads are worse than the details, by lessening the number and enlarging the bounds of the district. But they are worse still. The heads "would give an armed militia force of two hundred thousand men, so drilled and *stationed* as to be ready to take their place in the ranks in defence of the country, *whenever* called upon to oppose the enemy, or repel the invader." So that he who commands this body of two hundred thousand men may "station" them wherever he thinks they could most readily "take their place in the ranks in defence of the country;" consequently, the militia of Maine, instead of stopping at Vermont, may be marched to New Orleans, and "stationed" there.

Where, we demand, will be the "station" of the militia of western Virginia, western Pennsylvania, Ohio, Indiana, Illinois, Michigan, and Missouri? Does any man believe that we are in danger of invasion from Canada, or that a fleet of armed ships will ascend the Mississippi and Ohio? Let every man answer for himself the question, where would he be "stationed" so as to be "ready to take his place in the ranks in defence of the country *whenever* called on to oppose the enemy or repel the invader." If he can persuade himself that his station will be in the centre of the bounds of his own "battalion," it is well; that is, provided always, he can persuade his commander-in-chief, the President, to be of the same opinion. If not, he may, perchance, be "stationed" at the mouth of the Columbia river, or the Sabine, at New Orleans, in the swamps of Florida, or on the St. Johns.

We objected to the details because they proposed to establish a body of volunteers, necessarily composed of the rabble of the cities, for the citizen soldier of the militia. The heads are silent upon this topic, but Mr. Van Buren is the last man who can be benefitted by that silence. The volunteer system is all his own.

But we have another objection to these heads which cast all that we have said of them, and the details, also, into the shade. We ask attention, earnest attention, we beg, we entreat, a candid and unbiassed consideration of the last sentence of our extract. After sketching the great outline of his gigantic scheme, how much of it do you suppose the President proposed to refer to Congress? Hear the report which accompanied his message, listen to the "plan" of the Secretary so strongly recommended by the President. "*The manner of enrolment, the number of days of service, and the rate of compensation, ought to be fixed by law; but the details had better be subject to regulation, a plan of which I am prepared to submit to you!*"

All but the manner of enrolment, the number of days of service, and the rate of compensation, to be left to "regulation!" What is this regulation that is to bear so important a part in the formation, government, and command, of this military force

of two hundred thousand men? It is not *law* but something else; three things only are to be "fixed by *law*;" all the rest are to be "*subject to regulation*." What, then, we again ask, is "*regulation*," as contradistinguished from "*law*?" One at all conversant with the course of Congressional legislation, and the business of the great departments of the Government, would laugh at our apparent ignorance in asking this question. He would answer at once, "*law*," in this case means an act of Congress; "*regulation*" means such rules and regulations as the head of the War Department may, under the control of the President, from time to time, adopt and promulgate. A sort of Executive legislation very convenient in small matters which cannot be foreseen and provided for by Congress. Fellow citizens, you have a pretty striking example of the exercise of this same Executive legislation "*called regulation*" in the rules prescribed by the President, to those who are now taking the census. *Congress, by law*, directed the census to be taken. The *census* which the Constitution makes it the duty of Congress to take is nothing more than an enumeration of the inhabitants of the country. But Congress, thinking it a good opportunity to procure statistical facts, authorized the President to "*regulate*" that matter. To what extent he thinks this power of "*regulation*" reaches, all of us know, who have been applied to by the agents of the marshals. What the purpose is for which our wives are commanded to parade their ducks and chickens, we *may* know when the alleged bargain between the northern man with southern principles and the nullifiers shall be carried into execution. We trust, however, that the People will forbid the bans, and prevent the marriage, from whose fruitful bed the collector of the taxes, in our housewife thrift, is expected to spring.

Having ascertained, both theoretically and practically, the meaning of this term, "*regulation*," let us revert to the ends to be accomplished by it. It is, in the language of the "heads," to fix "*the details*" of the plan of the Secretary. What he understood by his "*plan of the details*," which he was prepared to submit to the President, we may form some notion of, from the "*plan* which he reported to Congress," when, contrary to the recommendation of the President, that body ventured to call for them. Every thing to be there found, except "*the manner of enrollment, the number of days of service, and the rate of compensation*," and any other "*details*" which the President might deem proper, were, by the original scheme, to be left to his "*regulation*." Was there ever such a demand made by the Chief Magistrate of a free people upon an independent Legislature? Its parallel can only be found in the commands of a Roman Emperor to a servile Senate, when it suited the policy of the usurper to retain that once august body as a pageant to amuse the people. He, "*the President*," was to "*regulate*" the manner in which arms were to be provided. He might, as the "*plan reported to Congress*" "*proposes*," enforce the obsolete law of 1792, and then the militia would have to purchase their own arms and equipments. He might so "*regulate*" the matter as to relieve the dear people from the trouble of bearing arms, and the expense of purchasing them, and furnish his "*volunteers*" with arms from the public arsenals, which the Secretary and the Committees of Congress tell us was the real plan, and thus have no armed men in the nation but his *own* "*thoroughly drilled troops*." It was for him to fix, by "*regulation*," the time and place, when and where, these "*troops*" should rendezvous. It was for him to say whether they should be "*called into service*" by battalions, and so get rid of the colonels and generals, or by platoons, and rid himself of all the "*ignorant*" officers. It was for him to say by what code of laws they should be governed, and by what system of tactics they should be taught—under what penalty the drafted man should appear at the rendezvous, or find a substitute—how long he should be imprisoned if he was unable to pay the fine—by whom the fine should be collected and the imprisonment enforced—who should be his judges, and who should be competent witnesses against him. It rested with him to declare, as he has done, that the honor and life of a free citizen may be sworn away by the cook of the prosecutor, or his own servant, be he white or black, bond or free.\* In

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\* We state, upon the authority of an intelligent gentleman of this county, of the Van Buren party, who attended the meeting at Brentsville, that Senator Grundy, in his speech on that occasion, justified the decision of the naval court martial and the President, in Lieut. Hooe's case. He said that negro testimony was legal evidence in the case, and that no lawyer would venture to contradict him. He said that the Common Law governed the case—that that law knew no distinctions founded on difference of color. He said this in the presence of Col. John Gibson, the leading Democrat of Prince William, and an elector on the Van Buren ticket—in the presence of Inman Horner, Esq., of Fauquier, another elector—of the members of the bar of Prince William,

short, had the "details" been left to "regulation," as was proposed by the plan of his Secretary, which he "strongly" recommended to Congress, he would have been master of the lives of these two hundred thousand men, and they would have been in a state of more abject vassalage to him than the meanest soldier of the British army is to his monarch when he speaks of him as "the king, my master."

Ever since the expulsion of the Stuarts, what is called the "*mutiny bill*" is *annually* passed by Parliament. This bill regulates the government and discipline of the army, and prescribes the rules and articles of war. Without it, the army cannot be kept together an hour. So that, instead of entrusting the king with the power to fix these important "details," by "regulation," he has only a lease, from year to year, for the army itself. And, in this democracy of ours, the President demands of Congress to place under his command a *permanent* force of two hundred thousand men, to subject the male population, between the ages of twenty and thirty-seven, to conscription to fill the ranks, and to provide, by *law*, for "the manner of enrollment, the number of days of service, and the rate of compensation," and leave the rest to him!!! He is now master of the public purse—his hitherto irresistible patronage is to be increased by a large addition to the already appalling list of public officers, who hold their appointments from him, and at his pleasure, and by the power which the Sub-Treasury law will give him over the banks, and, through them and the collection of the revenue, over the entire money concerns of the nation—the whole treasure of the nation is in the keeping of officers, who, according to the doctrine of the party, sanctioned, as they contend, by the people, are subject to his orders, and responsible only to him—men who accept office, with the avowal that their oath of office means that they are not to perform their duties according to the best of their own skill and judgment and the laws of the land, but according to the orders of the President.

If, under the domination of the men in power, the country could ever again become prosperous—if our broken-down commerce should be restored, and the revenue once more be sufficient to meet the extravagance of the government and leave a surplus—if that surplus should, as under the former administration, amount to forty millions of dollars—if the leaders of the party should be more successful than hitherto (as they doubtless would be) in their efforts to prevent its distribution amongst the States—what a spectacle should we exhibit! Two hundred thousand men, "embodied as a national guard, thoroughly drilled," and commanded by the President; the number kept up by draft; all "the details," all the laws for their discipline and government, and the enforcement of the "draft," subject to the "regulation" of the President, who has in his coffers, over and above the ordinary expenses of the government, forty millions of dollars—*hard* dollars—to pay and subsist his "troops!" Nothing is wanted to realize the picture but the enactment of the heads recommended by the President, and a return to prosperity in our business, which is so confidently predicted as a consequence of the Sub-Treasury. And this is democracy!!! Gracious God!! Democracy!!

How long, fellow-citizens, will you suffer yourselves to be deceived by names? How long will you lend your ears to the lying and flattering tongues of demagogues, and close up the avenues of your understanding by prejudice? How long will you set allegiance to party above allegiance to the institutions of your country?—turn a deaf ear to the warning of the sober-minded, and heed only the insidious flatterings of those who are fattening upon your substance? Is this great people to add another to the long list of nations which have forged their own chains, and worshipped Tyranny in the garb of Liberty?

We have said that the plan of the President—for it is unjust to call it Mr. Poinsett's—will fill the ranks with men without property, with no common interest with the community—who will love only the hand that feeds them, and fear only their commander. Stupidity itself cannot be persuaded to believe that the present volunteer companies will enlist into this service. They are composed of the sons of substantial farmers, students, young professional men, merchants and their assistants, and the industrious mechanics of the towns. No man can believe that such men, however ready

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and members of the bar of this county, belonging to the Van Buren party—and was not contradicted!! If the Common Law, unmodified by circumstances peculiar to our institutions and social condition, be the law of the United States, and governs naval courts martial, it governs military courts martial also. And that law does not recognise *slavery*: so that a slave, as well as a free negro, may be a witness against a white man. This is not the place to discuss a legal question, but we differ from Senator Grundy, *totiis verbis*.

they may be to peril their lives to repel the invader, will voluntarily place themselves, for eight years, under the command of the President and his officers of the regular army, and submit to that discipline, that "thorough drill," by which alone "the duty of obedience," deemed so essential, can be taught to the degree of perfection which will satisfy the military notions of the President and the officers of the regular army. No man can believe that these men will consent, in time of peace, to be assembled at "such places within their respective districts as the President may appoint," to be "taught their duties in garrison and the field, in marching and encamping, in the police and military administration of an army," for such time as Congress may, under the all-controlling influence of the President, from time to time, authorize. They have an example before their eyes, if history did not furnish thousands, that, although they might begin with thirty, or even ten days, nothing is easier than the rule of addition. The Secretary himself, in 1838, proposed to begin with twenty thousand, and he has already mounted to two hundred thousand. The rule of addition was too slow in its operation, and he has, therefore, *multiplied* by ten. However willing they may be to rally under their country's flag to meet the first burst of war, no man of ordinary intelligence can for one moment believe that they will consent to take the whole burden upon themselves, and become regular troops, bound to service for eight years.

How, then, are these "volunteers," the darling object of the scheme, to be obtained? By a process as simple and efficacious as the conscription of Napoleon.

Suppose all of us, between the ages of twenty and thirty-seven, to be enrolled and paraded; one hundred thousand are wanted for "active service;" volunteers are called for; the drum beats, the flag waves, and the recruiting sergeant calls "come, my brave fellows, there is no *fighting* to do, we only want to teach you how to march and shoulder your firelock, you will be called upon only "at such times as will least interfere with your ordinary occupations;"\* you will receive the same pay, camp equipage, and quarters as the regular troops;" "your arms will be furnished you without a charge," and Uncle Sam is paymaster. Some idle fellow, or hungry foreigner, whom Europe has cast upon our shores, is about to volunteer; he is stopped by his more cunning neighbor who tells him "this is a very good business, but we can make it better; wait for the draught; if it falls upon any of these thin skins, or these buttermilk farmer's sons, or these elod hoppers and mechanics, that love their wives and children more than their grog and a brothel, we will put them up a notch or two." Do you not see, at a glance, that the bounty for these one hundred thousand recruits must be paid on the nail by all who are not willing to become soldiers? and do you not see that no man, who is fit to become the defender of the liberties of the country, will quit his family and business, and subject himself for what is deemed the average period of human life, to military discipline and the life of a soldier; to be called on when and where the President pleases, and for as long a period as a subservient Congress may authorize, even in time of peace and in war to do all the fighting? Those who are better at figures than we profess to be may calculate the amount of this *capitation tax to be levied on the militia*, not to arm themselves for their own defence, but, as a bounty to a parcel of vagabonds, to enlist in the service of the President. This operation is to be repeated every year, at the rate of twenty-five thousand a year. Annually will twenty-five thousand of these vagabonds be discharged from service, only as substitutes to enter it again for twenty-five thousand honest men, who will be draughted to keep up the number to two hundred thousand. Very "simple" and very "efficient" truly!

The plan to impart to the *citizen* a knowledge of military tactics, by drilling a hireling substitute, deserves the praise of originality at least. We know that a man may legislate by his representative, contract by agent, bring a suit by attorney, and fight by substitute, but to *learn* by substitute is an improvement reserved for this inventive age. "If it work well it may gradually be extended to the whole United States;" and members of Congress may *learn* to debate without violating the rules of decorum; certain editors and demagogues that we wot of may *learn* to tell the truth, sub-treasurers may *learn* to keep their hands out of our pockets; and the President may *learn* respect for the Constitution.

And what great benefit, it may be asked, will the President and his party derive from these recruits? The first and most striking benefit is, that upon every principle which influences human action, if not immediately, after a few years of discipline under the orders of the President, by officers of the regular army, every man of the corps will

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\* Vide explanatory letter.

be true to the flag of the *party*. Only imagine that at this time there were eighteen thousand of these recruits, "thoroughly drilled," in the State of New York, who would control the election in the Empire State? Suppose 10,000 in Pennsylvania, who would be master of the keystone? and who will control Ohio, and the west and the south, and Maryland, and the ancient Dominion herself, when their quotas of two hundred thousand men (for by the next Presidential election that will be the number) are marched to the polls with drums beating, and colors flying? As a political engine, joined to the patronage of the Government and the command of the public purse, it will render any party, which may be in possession of power, irresistible, even at the polls, where, alone, the People have power.

But there is another use to which it is to be put. According to an express provision of the plan the President is to be invested with power, not when called on by the civil authority, but whenever *he* deems it necessary, to call out these trained bands to execute the laws, and suppress insurrection. At his command, therefore, they are to point their bayonets at the bosoms of the citizens. When the People shall find that they are overpowered at the polls by the corrupt agents of the Executive, backed by his mercenaries, and dare to assemble to devise means to assert their rights, and relieve themselves from grievances brought upon them by the misrule and rapacity of the Government and its minions, it rests with the President to pronounce them "INSURGENTS;" and having so pronounced, *he* may order them to be dispersed by his soldiers.

By the nineteenth section of the proposed plan it is declared "that whenever the laws of the United States shall be opposed, or the execution thereof obstructed in any State by combinations too powerful to be suppressed by the ordinary course of judicial proceeding, or by the powers vested in the marshal, it shall be lawful for the President of the United States to call forth the militia of such State, or of any other State or States, as may be necessary to suppress such combinations, and cause the laws to be duly executed, and the use of the militia so to be called forth, may be continued, if necessary, until the expiration of thirty days after the commencement of the then next session of Congress. *Provided*, That whenever it may be necessary, *in the judgment of the President*, to use the military force thus called forth, he shall, forthwith, by proclamation, command such *insurgents* to disperse, and retire peaceably to their respective abodes within a limited time: *And provided also*, That the militia, which the President is thus authorized to call forth, be of the active, or of the active and sedentary forces, when such force or forces of the State, or of the neighboring States shall be, in his opinion sufficient; and, when not, then such portions of the mass as he shall deem necessary."

Your Democratic President, backed by two hundred thousand Democratic soldiers, pronounces his Democratic People "insurgents" whenever, in *his* "judgment," they deserve that name, and commands them to go about their business, and not disturb his Government or murmur at his laws!

Such a power, supported only by the scattered regiments of the present army and the citizen soldiers of the militia, is harmless; but backed by two hundred thousand mercenaries, it will render the President master of the country.

Although the issue which we tendered in our first address has not been joined in the mode which we invited, and which alone can put us on equal ground with the adverse party. We will ask your further attention (which although our feeble powers may be unable to engage through so long a discussion, yet we trust the importance of the subject has kept awake) to some of the defences which have been attempted to the militia bill.

We beg you to remember that, in our former address, we considered it in two aspects, first, as a *bona fide* scheme to train the militia in the mode set forth in the plan; secondly, as a "mask" for a standing army. After going through Mr. Poinsett's details we said "such is the monster as it is exhibited to you by its creator. Hideous as it is, it is but the *mask* which conceals one still more hideous." "A single stroke of the pen, and the insertion of a single line would relieve the dear People from the encumbrance of arms, and furnish the active corps from the well stored arsenals of the General Government; and thus the work of creating a standing army, composed of the rabble of the country, would be accomplished."

In the year 1792, Congress passed a law requiring the militia to arm and equip themselves; no penalty was imposed for non compliance: so that it was, in effect, a mere recommendation. In 1808, the recommendation was virtually withdrawn by an appropriation (an inadequate one) for supplying the militia with arms.

When, therefore, the Secretary, at the very commencement of his plan, says: "It

should be provided that every man of the age of twenty and under forty-five should supply himself with a musket, &c.; and, by the twenty-first section, reiterated the requisition 'that every citizen, duly enrolled, in the militia, shall be constantly provided with arms, accoutrements, and ammunition, as already pointed out, &c;' and informed us in his explanatory letter that his purpose was to accomplish his great scheme "without taxing the Treasury too heavily," knowing too, as we all know full well, how empty are the once overflowing coffers of that Treasury.

Viewing his plan as one *bona fide* intended to render the militia efficient, and form a body of armed citizen soldiers, we could not do otherwise than suppose that he meant to revive and *enforce* the obsolete law, or rather recommendation of 1792, especially as no other mode was pointed out for arming even the "active class." It became proper, then, to expose the enormity of the proposal. If we did the plan injustice in this, it was because we so far gave it credit for sincerity. We suspected and believed, as the above extract shows, that it was all a sham, and that the "active corps," those in the service of the President, were to be supplied from the well stored arsenals of the United States; and our suspicion is confirmed by the subsequent admission of the Secretary, and the committees of Congress. After the exposure of the injustice of the proposed capitation tax, the Secretary found himself in a dilemma. He must either justify the tax which the people had revolted against, or he must admit that our suspicion of the real plan, which lay at the bottom, was well founded. He has chosen the latter, and it is not for *us* to question his sincerity in that particular. We have, accordingly, on this occasion, yielded to him the full benefit of that part of his scheme which proposes to leave sixth-sevenths of the militia an unarmed, undisciplined, and "ignorant mass;" "totally ignorant of the manner of taking care of themselves, or of each other, in the field; such a militia as, if called out in mass, would rather prove a burden than an assistance "to an army" \* while the President would have under his command the remaining "one-seventh embodied as a National guard" "thoroughly drilled" and armed, and paid by the United States. (Vide Globe of January 2.) But the Secretary, in choosing that horn of the dilemma, does not escape our argument against a *capitation* tax. We have shown that by the necessary, practical, working of the scheme, the militia will be subjected to a much higher capitation tax, in the shape of the hire for substitutes, or more properly speaking, bounty for his "recruits," unless, indeed, he can satisfy us that his vagabond "recruits" would rather enlist for nothing than exact a bounty from the draughted militiaman. According to the last census, the number of persons liable to draught, by the proposed plan, may be put down at one million five hundred thousand. One man out of every fifteen would be called upon immediately to enter the "active corps," or find a substitute. Of these, seven out of ten would rather pay one hundred dollars than be condemned to service in the active corps for four years, and four in the reserve. Seventy thousand men must, therefore, instantly find substitutes, or enter the army as conscripts. Now think you that upon this great and sudden demand, a demand which admitted of no delay, one which must be complied with under the penalty of fine and imprisonment, if not martial law, that substitutes would be plenty as blackberries? It may be imagined that payment of the fine, or suffering the imprisonment, provided by the twenty-eighth section, would exempt the party from service. This is a vain imagination. The fine, and imprisonment, are punishments for an offence committed, not a commutation for service; and the moment after the fine is paid, or the imprisonment expires, the order may be repeated, and disobedience to it would be a new and aggravated offence, for which new and additional punishment would follow. There is not a word to be found in the whole scheme which countenances the idea that the punishment is a commutation for future service. Every man must enter "the service," or find a substitute. We put the price of a substitute low when the great, sudden, and pressing demand, is considered. Seventy thousand men, at one hundred dollars apiece, is seven millions, and this is to be paid in cash on the nail, and in specie too, according to the hard-money scheme. At the end of one year, this operation will be repeated, twenty-five thousand "new recruits" will be wanted, and so on at the rate of twenty-five thousand a year, until every man on the muster-roll has served, either in person or by substitute, "four years in the active class, and four years in the reserve," and then begin again! What think you now, fellow citizens, of the capitation tax, as ways and means to fill the ranks of Mr. Van Buren's army. As the means of raising, in four years, fourteen millions of dollars, hard dollars, from the

\* Explanatory letter, page 1, Senate document, No. 560.



pockets of the militia, to be squandered in riot and debauchery by "volunteers;" and a perpetual tax for the same purpose of nearly two millions a year, levied, not upon property, but upon *men*, and upon rich and poor alike? Truly our democratic President has a strong affection for his democratic friends, and for their money also.

In defence of this "militia bill," the Committee on the Militia, of the House of Representatives, have said, that "it corresponds, in its essential particulars, with the plans and suggestions recommended to Congress by General Washington, Mr. Jefferson, Mr. Madison, and General Jackson, and to differ, in some of its details only, from those heretofore presented by the former Secretaries of War, Gen. Knox, James Barbour, and Lewis Cass." As the details in which it is admitted to differ from the plans presented by the three last-named gentlemen, are not specified, there is quite room enough to reconcile that part of the sentence with what we have said. We deny, utterly deny, that any President, save Mr. Van Buren, ever recommended to Congress a plan agreeing with that under review, in the essential particulars to which we object.

We do not feel called on to enter into an elaborate defence of General Washington, Mr. Jefferson, and Mr. Madison: nor do we intend to take up the time of our readers in defending General Jackson from the slur which his quondam admirers would cast upon him to prop the sinking cause of his successor. We pass it as the common case of an old friend given up for a new one, and as one more instance of the facility with which politicians can turn their backs upon the sitting and worship the rising sun. But we defy them to put their finger on any instance, in any one of his Messages, or in the Reports of his Secretary of War, which countenances a plan for substituting the rabble rout for the citizen soldier, or which, by any possibility, could visit the militia with the evils which we have pointed out—would take the militia from the States and transfer them to the United States—would take them from under the command of their own officers and place them under the command of the officers of the regular army—march them, in time of profound peace, from one end of the continent to the other. Secretary Cass speaks of "volunteers." What volunteers? "It would probably be found expedient," says he, "to continue the *present* plan of volunteers, with some changes." How unlike the "volunteers" of which we have been speaking!

The grand movement of the party, however, is (to use their own phrase) "to carry the war into Africa," and defend Mr. Van Buren by attacking General Harrison. This line of tactics is not, like the scheme to *learn by substitute*, entitled to the praise of novelty. It is as old as the days of Scipio and Hannibal. It is the only one, however, that suits their condition. Mr. Van Buren and his measures are indefensible, confessedly indefensible. They hope to find some vulnerable point in General Harrison. We are not driven to follow their example—*our* position is impregnable. His character, like fine gold, becomes brighter and brighter as new tests are applied. It is ever thus with a man of straight-forward truth and honest purpose. His errors (and who is free from errors) will bear exposure, because they are errors of the head, and not of the heart. We, therefore, shall not only "break through the thick array of the thronged legions" of office-holders, mail-contractors, and expectants, who surround Mr. Van Buren, "and charge home upon him," but will raise the broad buckler of truth in defence of General Harrison. We might, with perfect safety, rest his defence on the same ground as that on which we have placed General Jackson, and call upon his assailants to put their finger on the sentence, in any of his reports, that would subject the militia to a capitation tax, either for arms or to hire substitutes—take them from the States and the command of their own officers, and place them under the command of the President and the officers of the regular army—compel them, under the penalty of oft-repeated fine and imprisonment, to march to any point within a military district composed of three or four States—leave the mass of the militia without arms or military knowledge, and substitute in their places two hundred thousand mercenaries, enlisted at their expense, paid by the United States, commanded by the President. But we will do more: We will show you that he did none of these things; but the contrary.

We said that we do not feel ourselves called upon to defend General Washington. We have also said that we would show that the assertion of the Committee of the House of Representatives that the plan of Mr. Van Buren (it is not Mr. Poinsett's) corresponds, in all its essential particulars, with the plan of Gen. Knox, recommended by Washington, is not true. In order to maintain this assertion, we must go back for a moment to the Report of Gen. Knox. Speaking of a *standing* force, he says, "But whoever seriously and candidly estimates the power of discipline, and the tendency of military habits, will be constrained to confess that whatever may be the efficacy of a

standing army] in war, it cannot, in peace, be considered as friendly to the rights of human nature.

"An energetic national militia is to be regarded as the capital security of a free republic—and not a standing army, *forming a distinct class in the community*.

"A consideration of the subject will show the impracticability of disciplining at once the mass of the people. All discussions on the subject of a powerful militia, will result in one or the other of the following principles.

"1st. Either efficient institutions must be established for the military education of youth, and that the knowledge acquired therein shall be *diffused throughout the community by the means of rotation* ; or,

"2d. That the militia must be formed of *substitutes*, after the manner of Great Britain."

He then goes on to show the advantage of instructing the younger portion. It surely needs no argument to prove, that such a plan would diffuse military knowledge throughout the whole community, when these instructed youths become old men, and other youths take their places. By this means General Knox thought, "the well-informed members of the community, actuated by the higher motives of self love, would form the real defence of the country."

Of the second plan—Mr. Van Buren's plan—borrowed not from General Knox, but from Great Britain—the plan to train the militia by substitute—he says:

"But the second principle (a militia of substitutes) is pregnant in a degree with the mischiefs of a standing army, as it is highly probable the substitutes, from time to time will be nearly the same men, and the most idle and worthless part of the community." It was with this report before them, and this language of General Knox expressly condemning the leading features of Mr. Van Buren's plan—condemning the great principle on which it is founded, and recommending one of a directly contrary character and tendency—that the committee ventured in an official report to tell the American people, that there was no essential difference between the plan recommended by General Washington, and that recommended by Mr. Van Buren!

So far from copying General Washington, as he went to Turkey for his hard money currency, so he proposes to go to the monarchy of Great Britain for an example of militia organization, which will embody "the idle and worthless part of the community" as its defenders.

So much for General Knox. We proceed to General Harrison. He made two reports on the militia; one bears date 17th January, 1817, the other 9th January, 1818.

In the first report he proposed no change in the classification of the militia, but continued that which had "been frequently recommended in reports of committees of the House, and in those of the Departments of War."\*

He acknowledges the difficulty and the objection on the score of expense, which would be encountered by an attempt "to instruct the present militia of the country to any useful extent," and proposes to obviate it by instructing the "*whole* of the officers and sergeants." Mr. Van Buren objects "to the classification heretofore proposed," and instead of instructing the "whole of the officers and sergeants," proposes to instruct a portion only of the majors, captains, and subalterns. Having presented a plan for the "organization and classification of the militia," a *bona fide* plan, and in so doing performed the duty assigned to the committee, he proceeds to present his views of improvement.

He maintains the position that it is "desirable that the whole male population of the United States of the proper age, should be trained to the use of arms, so as to supersede, under any circumstances, the necessity of a standing army."

As to the efficiency of militia, he says, "The greater part of the American militia, accustomed from their early youth to the use of fire-arms, are doubtless more formidable than any other troops in the world, in defence of a line or rampart."

Mr. Van Buren through his Secretary of War says, that the mass of the militia are ignorant of the manner of taking care of themselves, or of each other, and would rather be an incumbrance than a benefit to an army employed in defence of the country; that our forts might be captured, and our cities taken and sacked, before they could be

taught the use of the firelock; and that the greater part of the officers are nearly as ignorant as the men. General Harrison said "The liberties of America must then be preserved as they were won, by the arms, the discipline, and the valor of her free born sons." Mr. Van Buren proposes to commit them to hireling substitutes, taken, to use the language of General Knox, from "the most idle and worthless part of the community."

General Harrison said, "The safety of a republic depends as much upon the equality in the use of arms among its citizens, as upon the equality of rights. Nothing can be more dangerous in such a government, than to have a knowledge of the military art confined to a part of the people; for sooner or later that part will govern." Mr. Van Buren proposed, and his official organ, the *Globe*, recommended, a body of volunteers equal to one-seventh of the militia, as a national guard, "thoroughly drilled" and placed under the command of the President, and paid and armed by the United States; and leave the other six-sevenths unarmed free from ordinary military duty, and mustered only at long intervals.

As the means of keeping alive a military spirit, and diffusing military knowledge throughout the *whole mass*, General Harrison proposed "that a corps of military institutions should be formed, to attend to the gymnastic and elementary part of education, in *every school* in the United States, while the more scientific part of war shall be communicated by professors of tactics, to be established in higher seminaries." Mr. Van Buren proposes to leave the *mass* in a state of ignorance, and confine all military knowledge to the thoroughly drilled national guard, commanded by himself. And this scheme, to teach the youth of the country, the children of the poor as well as the rich, the rudiments of military tactics, is by the committee of the Senate represented as a dangerous infusion of the military spirit, and as making "the mass of our citizens more emphatically soldiers than those of any other nation of the world." If this would be the effect, they would not only be able to defend the country from foreign invasion, but their liberties would be in no danger from a trained band of mercenaries. Boys at military schools are not the stuff of which standing armies are made. Theirs are not the bayonets "which do hedge a King."

The boys of the Polytechnic School of Paris led the great movement of July, which drove the tyrant Charles X. from the Throne, and substituted a constitutional King in his place. The boys of the Military School of Warsaw, planned and executed the attack upon the tyrant brother of the Russian Emperor, which drove him to ignominious flight, and breathed a spirit of gallantry and devotion into their countrymen, which called forth the applause of an admiring world.

The committee of the Senate in their review of the several attempts to organize the militia, pass over General Harrison's second report. "We will, however, make a few extracts from it, contrasting if possible still more strongly with the "new organization," lauded by the *Globe* and strongly recommended by the President.

"2. The Constitution having made it the duty of Congress to provide for arming the militia, this power is not duly exercised by merely enacting that the militia shall arm themselves. A law to that effect, unsanctioned by penalties, will be disregarded, and if thus sanctioned it will be unjust, for it will operate as a capitation tax, which the opulent and the needy will pay equally, and which will not be borne by the States in the proportion fixed by the Constitution."

"Congress should provide arsenals, from which the militia of every part of the United States could draw arms when necessary, which would be a sufficient exercise of the power to provide for arming the militia."

The plan "reported to Congress" by Mr. Poinsett, proposes that the militia shall purchase their own arms; the letter of 8th April says it is meant that the "active class—the President's soldiers—shall be armed at public expense, and the mass left without arms.

Gen. Harrison said

"3. Congress having power to provide for governing the militia only when they are in the service of the United States, and the authority of training them belonging to the State Governments, the committee have not deemed it proper that Congress should prescribe the time to be devoted to training or the manner in which that object will be best effected. It is the duty of the State Legislatures to enact the necessary laws for that purpose. The committee deem it a sufficient exercise of the power to provide for disciplining the militia, to direct the appointment of the necessary officers, to prescribe their duties, and provide a system of discipline, comprehending the camp duties, instruction in the field exercise and field service of the militia."

Is it necessary to refresh your recollections by repeating the provisions of Mr. Van Buren's plan which contrast so strongly with Gen. Harrison's? If they are not before

your mind's eye, turn to sections 1, 10, 11, 14, 17, 19, 20, 21, 28, 29, 33, "of the plan reported to Congress, to the heads of the plan "strongly recommended" by the President to the synopsis so *often* recommended by the Globe, and to the correspondence between the Chairman of the Committee of the H. of Representatives, and the Secretary of War.

But Gen. Harrison, although he manifested the most scrupulous and conscientious regard for the Constitution, of which such ample evidence is given by the extracts which we have made from his reports, proposed an amendment to that instrument, by which the United States would have a *concurrent* power with the States to train the militia, and that whilst in training they should be subject to the rules and articles of war. He did. But here, also, the contrast between him and the President, presents itself in still stronger colors. Gen. Harrison acknowledged the obligation of the constitution and bowed to its authority; in the hands of Mr. Van Buren it is pack-thread. That which Gen. Harrison thought, and rightly thought, could only be done by the concurrence of two-thirds of both Houses of Congress and three-fourths of the States, Mr. Van Buren proposed to be enacted into a law by his subservient majority of one in the House of Representatives. It was by that majority, or rather by a tie that he was enabled to eject the New Jersey members, and it was by ejecting them that he carried the other measures, and would have carried the Militia bill, but for its effect upon the pending election. We differ in opinion from Gen. Harrison, as to the propriety of his amendment, so do the great body of the Whigs, but if two-thirds of Congress and three-fourths of the States think it right, we shall think we are in error and that he is right. There is small probability of this; under Gen. Harrison, then, you are perfectly safe from this innovation; elect Mr. Van Buren, and it may be the law of the land before Christmas.

But although Gen. Harrison proposed that Congress should have power to train the militia concurrently with the States, he left the appointment of officers untouched; and he was ardently desirous of instructing the *whole*. Let them be trained by the United States, or by the Autocrat of Russia—if they are all equally instructed, all equally armed, where, we demand, is the danger to liberty? The rules and articles of war to be expounded and enforced by militia officers exclusively, although objectionable in time of peace, would be harmless when compared with the same body of laws enforced by militia officers selected by the officers of the regular army, whose judgments would be subject to the approval of the President, who might set them aside and direct new trials as often as he pleased, until he procured a sentence to suit him. We all remember that this was done by a Commanding General—in capital cases, too. A sentence which spared the lives of the accused was thought too lenient; they were tried over again—sentenced to death, and shot. But, we repeat it, under Gen. Harrison, you are in no danger of even his milder plan until three fourths of the nation shall consent to it.

Upon closing this review of Gen. Harrison's plans for organizing the militia, we would call your attention to one striking feature, which stands out from the canvass in strong relief, and which is characteristic of the man. They are what they *profess* to be—honest plans for giving efficiency to the great body of the militia. They may be wise or unwise, profound or shallow, but they are *honest*. No standing army lurks behind the screen. It is the patriot soldier who speaks, and not the cunning politician.

There is one other topic connected with this subject by the assailants of General Harrison, to which we will ask your attention, and fatigue it no longer.

Not content with abandoning the defence of their candidate, and confining themselves to assaults upon Gen. Harrison, they resort to calumnies and misrepresentations, which, if uttered in the ordinary transactions of life, would exclude their authors from the society of honest men. No sooner is one refuted than another is invented to take its place; and not satisfied with this, they make despicable attempts to revive prejudices and reanimate controversies, which have slept for forty years. Even the ghosts of the alien and sedition laws are summoned from the shades to frighten us from our propriety, and these things are reiterated by men who, in private life, make high pretensions to honor, truth, and fair dealing. It would be just as fair and reasonable to go back to the questions which agitated the nation when the Federal Constitution was discussed before the people, and revive the party names of Federal and Anti-federalists, as the friends and opposers of that instrument were designated; or to the questions which disturbed the administration of Gen. Washington, the proclamation of neutrality, the funding of the war debt, or Jay's treaty, as to revive the controversies of the time of the elder Adams. He, and the party which supported him, were put down just forty years

ago; such of his supporters and opposers as survive, are found indifferently in the ranks of the present Administration and with the Opposition. Amongst the most ardent supporters of Mr. Van Buren, are Buchanan, of Pennsylvania, Wall, of New Jersey, Hubbard, of New Hampshire, and Vanderpoel, from Mr. Van Buren's own district of Kinderhook, not forgetting Chief Justice Taney and a host of others. The first named gentleman is looked to by the more decent of the party, as the successor to Mr. Van Buren. Another gentleman of the highest character and private worth, Louis McLane of Delaware, who was appointed by Gen. Jackson, Minister to England, Secretary of the Treasury, and Secretary of State, is, and always has been, a known and avowed Federalist, and advocate of the measures and policy of the Federal party; whilst Henry Clay and Albert Gallatin, the sword and shield of Jefferson, are foremost amongst the Whigs. It is, then, only a part of that plan of misrepresentation and deception which, in their extremity, they have thought fit to resort, that an attempt is made to revive the prejudices against a defeated party, and to identify Gen. Harrison, who was a constant and warm supporter of Mr. Jefferson, with the old Federal party. As a part of this scheme, men in high places—men who take upon themselves the responsible task of instructing the people by their writings, have brought forward the speech of General Harrison in Congress against the resolution to disband the regiments raised to meet an apprehended French war. We will give you, from the most authentic sources, the true history of that measure; and remain content that our charge of misrepresentation—wilful misrepresentation, against the leaders of the Administration party, shall stand or fall by the proofs which we shall offer. We select, amongst many others to be found in the Van Buren papers, an article which appeared in the Richmond Enquirer of May 26th. It is republished in the Sentinel of the Valley and Shenandoah and Page Advertiser of July 2d, and fills half a dozen columns of that paper. Its main object is to defend Mr. Poinsett's plan; and its means, an attack upon Gen. Harrison, over whose plan the writer gives a decided preference to that of the Secretary. It was one of those elaborate defences of the "plan reported to Congress," which was written before the party found it necessary to sound the retreat. We have to deal with it now so far as it deals with the so called "Standing Army of John Adams." We select the article, because from its style and other qualities, it was written by a practised writer and champion of his party. It affords a striking instance of their skill and boldness at misrepresentation, and may therefore be taken as a fair specimen of the tactics of the party.

Its title is "Gen. Harrison's military views." It opens the attack with his speech upon the resolution to disband the regiments which we have mentioned, and thus proceeds, "The first occasion that Gen. Harrison had for expressing his opinions on military matters in the councils of his country, occurred during the administration of Mr. Adams, when the reduction of the *standing army* of the United States, which had been raised during this administration, was the topic of the day. At that time, I learn that Gen. William Henry Harrison, of Ohio, now called a States' Right Jeffersonian Republican, made and published a strong speech against the reduction of this same *standing army*. Now, bear in mind that the Federal Administration of that day, increased the standing army to such an alarming extent, considering the population of the country, as to arouse the fears of *all* the Republicans—and that William Henry Harrison advocated its increase." We beg you to remark that, according to this writer, this was a "*standing army*." That it was the measure exclusively of "the Federal Administration of that day," and that "it increased the standing army to such an alarming extent as to arouse the fears of *all* the Republicans." We ask you also to bear in mind one contradiction to this statement. We say the regiments in question were no part of the *standing army*, but raised when we were in a state of hostility with France, and by the terms of the law under which they were raised, were to continue only so long as our differences with France continued, and be disbanded as soon as peace with France was concluded. That it was not the measure of the Federal Administration of that day, but one called for by the universal voice of the nation. That the bill for making this addition to our military force was introduced into the House of Representatives by Gen. Samuel Smith, of Md., a staunch democrat and opposer of Mr. Adams's administration, and voted for by the democrats generally, amongst them by Dr. Walter Jones, John Nicholas, of Virginia, and Albert Gallatin, of Pennsylvania; and, in the Senate, was voted against only by Mason and Tazewell of Virginia, and received the support of every other member of that body present at its passage. That our standing army of that day did not exceed two thousand men, and the only addition made to it was a single regiment of artillery.

rists and engineers; and of the twelve regiments of infantry and one regiment of cavalry not more than four thousand men were raised, and they were disbanded as soon as a treaty was made with France; and for the correctness of our statement we appeal to the authentic records of the time.

The outrages of France commenced in the time of Washington's administration. Gen. Pinckney was sent by him on a special mission to the French Republic to adjust by negotiation the differences between the two countries. The result of his mission was not known until after the election of the elder Adams. It is thus announced by the Biographer of Washington: "In the Executive of that Republic, Gen. Pinckney encountered dispositions of a very different character from that amiable and conciliatory temper which had dictated his mission. After inspecting his letters of credence, the Directory announced to him their haughty determination not to receive another Minister Plenipotentiary from the United States, until after the redress of grievances demanded of the American government which the French Republic had a right to expect from it. This message was succeeded first by indecorous verbal communications calculated to force the American Minister out of France; and afterwards by a written mandate to quit the territories of the Republic."\*

"On giving to the recalled minister, (Mr. Monroe) his audience of leave, the President of the Directory addressed a speech to him, in which terms of outrage to the Government were mingled with expressions of affection for the People of the United States; and the expectation of ruling the former by their influence over the latter was too clearly manifested not to be understood. To complete this system of hostility, American vessels were captured wherever found; under the pretext of their wanting a document with which the treaty of commerce had been uniformly understood to dispense, they were condemned as prize."†

Suppose these things had occurred during the administration of General Jackson—suppose Louis Philippe, when he failed to pay the stipulated indemnity for French spoiliations, because he was unable to prevail upon the Chambers to appropriate the money, instead of apologizing, had dismissed our Minister, as General Pinckney was dismissed, and commenced a war upon our commerce, what say you, old Jackson men, would you have supported him in a declaration of war? Would you, if an invasion was threatened, have refused him an addition of ten thousand men to the army, and a few frigates for the navy? And, if you would not, are you not prepared to say that Mr. Adams would have been justified in an instantaneous resort to reprisals? Every true-hearted American will answer in the affirmative. Yet, such was our aversion to a breach with our old ally, the French, that these wrongs and insults were pocketed, and another solemn embassy sent to the haughty nation. John Marshall, Charles Cotesworth Pinckney, Elbridge Gerry (the two first Federalists, the last a Democrat) all patriots of the Revolution, and amongst the first men in the nation, were united in a new mission, to avert, if possible, this unnatural war. Their mission failed: and we are told by the eloquent historian (himself one of the envoys) that "History will scarcely furnish the example of a nation, not absolutely degraded, which has received from a foreign power such open contumely and undisguised insult as were, on this occasion, suffered by the United States in the persons of their ministers. They continued (nevertheless) with a passiveness which must search for its apology in their solicitude to demonstrate to the American people the real views of the French Republic—to employ the only means in their power to avert the rupture which was threatened and which appeared to be inevitable. During these transactions, occasion was repeatedly taken to insult the American Government; open war was continued to be waged by the cruisers of France on American commerce; and the flag of the United States was a sufficient justification for the capture and condemnation of any vessel over which it waved." Amongst other insults, the agents of the Directory "demanded money from the United States as the condition which must precede, not only the reconciliation of America to France, but *any negotiation* on the differences between the two countries." The immense power of France was painted in glowing colors. The humiliation of the House of Austria was stated, and the conquest of Britain was confidently anticipated. In the friendship of France alone, it was said, could America look for safety: *and the fate of Venice was held up to warn her of the dangers which awaited those who incurred the displeasure of the great Republic.*"† (2 Mar. 427-8.)

\* Marshall's Life of Washington, pp. 424, 5.

† Venice was attacked, plundered, received as an ally of France, and then transferred to Austria.

It is with pride, as Americans, and gratitude to the men of that day, that we learn that party animosities were forgotten, and, "in every part of the continent, the favorite sentiment was, "Millions for defence—not a cent for tribute."

Gen. Smith, a leading opposition member, introduced into the House of Representatives a bill to raise eight regiments of infantry and a regiment of cavalry. The House increased them to twelve regiments of infantry. The yeas and nays on the passage of the bill, were—

YEAS—John Allen, George Baer, jr., *Abraham Baldwin*, Bailey Bartlett, David Brooks, *Stephen Bullock*, *Demsey Burges*, Chris. Champlin, *Thos. Claiborne*, Wm. C. C. *Claiborne*, James Cochran, Joshua Coit, Wm. Craik, Samuel W. Dana, Geo. Dent, Wm. Edmond, Thos. Evans, Abiel Foster, Dwight Foster, Jonathan Truman, *Albert Gallatin*, *James Gillispie*, Henry Glen, Chauncey Goodrich, Wm. Gordon, *Andrew Gregg*, Roger Griswold, Wm. B. Grove, *John A. Hanna*, Robert Goodloe Harper, *Carter B. Harrison*, Thomas Hartley, *Jona. N. Havens*, *Joseph Heisler*, Wm. Hindman, *David Holmes*, Hez. L. Horner, *Walter Jones*, John Wilks Kitterd, *Edward Livingston*, Samuel Lyman, *Wm. Matthews*, *John Nicholas*, Harrison G. Otis, Isaac Parker, John Reed, John Rutledge, jr., James Tuckerman, Samuel Sewell, Nath. Smith, *Samuel Smith*, Peleg Sprague, *Richard Stanford*, George Thatcher, Richard Thomas, Thos. Tillinghast, *John Trigg*, John E. Van Alen, *Philip Van Cortlandt*, *Joseph B. Varnum*—60.

NAYS—Lemuel Benton, Thomas Blount, *John Clapton*, *John Dawson*, Matthew Locke, *Nath. Macon*, Blair M'Clinachan, Joseph M'Dowell, *Anthony New*, William Smith, *Thomas Sumpter*—11.\*

In the Senate—

YEAS—Messrs. Bingham, Chipman, Clayton, Foster, Goodhue, Greene, Hillhouse, Lawrence, Livermore, Martin, North, Paine, Read, Sedgwick, Tracy—15.

NAYS—Messrs. Mason and Tazewell—2.

GEORGE WASHINGTON was appointed Commander-in-chief.

France, disappointed in her expected support from the people of the United States, gave intimations that she was inclined to peace. Mr. Adams availed himself of the overture, and renewed the negotiations, which terminated in a treaty. Pending these negotiations, and before it would have been consistent with ordinary prudence to adopt such a measure, a resolution was introduced in the House of Representatives to disband the troops which were authorized by General Smith's bill, little more than one-third of which had been enlisted. On this resolution, General Harrison made the speech—which is alleged as proof of his army propensities and Federal politics—and was supported by General Smith; with whose speech we will conclude.

"He conceived it necessary to call the recollection of gentlemen to the state of affairs when the law in question had passed. It had been thought proper by the Senate of the United States to publish the despatches of our envoys to France, which, by him, and many others, was considered in no other light than as a manifesto to prepare the minds of the people for war; for all declared that France could not otherwise do, after their publication, than declare war. The House thought so, and declined the publication on their part. However, having been made public, it became a duty to assume a posture of defence; the necessity of which so strongly impressed him, that he could not have returned to his constituents without seeing the proper measures taken.

"It had been said that this part of the army was not a part of the system of defence. What else could it be? To be sure, it was not the only means of defence adopted; but it was considered that this army would operate valuably as a rallying point round which the militia would assemble; it was thought that wherever the United States should be invaded, the enemy would first be met by the militia; and that these troops, being prepared, would rapidly come to their aid.

"Under these impressions, Mr. Smith said he had thought it his duty to bring forward a resolution for raising eight regiments, and six troops of dragoons: the House carried it further, and voted twelve regiments and the dragoons. The measure was then thought to be so essential a feature of our defence, that *there were but eleven members who voted against it*. It will be recollected that a gentleman expressed an

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\* Those in *italics* are known to belong to the Republican, or Opposition party. There were, doubtless, others, but we are unable to designate them.

opinion that the right wing of the army of England (as it was then called) would probably come to this country (although he had no such idea:) he had thought that the Southern States might be in danger of a descent from Hispaniola, and therefore thought that a small army might be necessary.

"It would not be considered improper for gentlemen to vote for continuing the men who had been recruited into the twelve regiments, a few months longer: for, although they could not be drafted into the old regiments, yet many of them might, and probably would, be recruited for those regiments, and a saving of clothing, &c. &c. would thereby be effected.

"Under this statement of facts, would gentlemen think of destroying this army at once? Would it not be more prudent to wait two or three months for advices from our envoys? He felt well assured in his own mind that a peace would be the result of our negotiations. If gentlemen thought with him, they would wait the event. If successful, the army would of course be discharged under the law.

"The resolution, Mr. Smith said, was calculated to discharge all these men without a single shilling to carry them home. He trusted they would not be sent home without such provision as it had been usual to make.

"This army had been called a standing army, and it was said that excuses would be found to keep it up, even after a peace. But this cannot happen, for the law expires '*whenever the differences between France and America are made up.*'

"Sir, said Mr. Smith, there is no man that places more reliance on the militia than I do; but, before I place all my reliance on that truly essential part of our defence, much as I admire it, I must see a better militia law framed than exists at present. Until that time, I must say that a regular army, in case of war, will be always deemed necessary.

"The truth being that there are not more men recruited for the new regiments than would fill the permanent army, of course no extraordinary expense beyond the usual estimated expenses of the army, except that of the officers of the thirteen regiments, the amount of which was not such as, in his opinion, ought to induce a conduct that would have but too much the appearance of versatility in our Government. He should, therefore, vote against the motion, under a firm reliance that the recruiting service would be stopped immediately."

In taking leave of you, fellow-citizens, do we ask too much of you when we beg that whenever one of those Van Buren leaders, writers, or editors, tell you a long story about Federalism, Abolitionism, or any of the *isms* with which they seek to beguile and mislead the People, that you answer them with the moral of Æsop's fable of the shepherd's boy.

R. E. SCOTT,  
SAMUEL CHILTON,  
THOMAS T. WITHERS,  
JNO. P. PHILLIPS,  
RICHARDS PAYNE,  
JNO. WALDEN.

AUGUST, 1840.







## APPENDIX.

### FIRST ADDRESS

21

#### THE WHIG CENTRAL COMMITTEE OF VIGILANCE

#### OF FAUQUIER COUNTY, VIRGINIA.

##### *To the People of Fauquier county:*

In submitting for your consideration the following facts and observations, in relation to what we consider a question of great, if not vital importance, we trust that we shall not render ourselves justly obnoxious to the charge of presumption.

The importance of the pending canvass for President of the United States is felt and admitted by all. It involves the question of the approval or disapproval of the administration of the party which has controlled the measures of the Federal Government for the last eleven years; and more especially does it involve the approval or disapproval of two leading measures proposed by the Federal Executive. One of them has been pressed in opposition to the declared opinion of the majority of the nation, and is now urged, with a pertinacity which evinces the high value set upon it, as a means of perpetuating the power of its authors—we mean the sub-Treasury scheme. The other, recently proposed, is one which, if it shall be adopted and carried out, so as to accomplish the purpose declared by its projector and avowed upon its face, will mark the transition of this Government from a Representative Republic to a monarchy.

Such of you as are conversant with the discussions which the late election for members of the State Legislature has elicited, will at once perceive that we allude to the project for arming and disciplining the militia, submitted by the Secretary of War to Congress. When questions of such great national concernment as we deem these to be are submitted to the people, it is the right, if not the duty, of every citizen, by all fair and honorable means, to use his best endeavor, feeble though it may be, to awaken the attention of his fellow-citizens to a due sense of the dangers which surround them, and point out the path of safety.

In the exercise of this undoubted right, we propose to submit to you a few facts and observations in regard to the military measure above alluded to. In addressing you under our proper signatures, we are aware of the obloquy to which we shall expose ourselves at the hands of a pensioned press and hireling writers. We have determined, however, to brave every thing in the cause of truth, and in the defence of our free institutions. We shall state nothing as fact which we do not solemnly believe to be true, and stand ready to prove, by evidence which, in our judgment, will satisfy every man of common intelligence who sincerely desires to know the truth.

We shall not be drawn aside by the assaults of anonymous writers or hireling editors, nor do we intend to make a crusade through the State; but we do say that, if any man of our own county, of responsible character, will, under his own hand, deny any of the facts which we allege in this or any other communication which we may venture to make, we pledge ourselves to meet him before the people, at such time and place as he may select, and either maintain our position or take the consequences of defeat. We confine ourselves to our own county, and leave it to able advocates elsewhere to assume and defend their own positions. We shall make no attempt to go beyond our own proper and narrow sphere. Within that sphere it is our purpose to do our devoir in favor of the cause which we have embraced. We shall not hide ourselves in holes and corners, but face the enemy; and if we shall, in the end, be compelled to retreat, it shall not be until we have crossed bayonets, and are fairly driven from the field. We hoist the flag of Harrison and the Constitution—our war-cry, “God defend the right!”

As already indicated, the subject to which we now propose to call your attention is a scheme for embodying and training a so-called militia force, communicated to Congress, by a letter from J. R. Poinsett, Secretary of War, to the Hon. R. M. T. Hunter, Speaker of the House of Representatives, dated 20th March, 1840.

The first circumstance attending this new, and, as we deem it, portentous movement, deserving attention, is the quarter from which it emanates. Had it been submitted by some scheming member of Congress, we might pass it as an ephemera of the hour. It comes, however, from the President himself, through his Secretary of War, the head of the military department of the Government—one of the constitutional advisers of the President, and a member of his cabinet—an officer selected by him and removable at his pleasure—and has his express sanction, nay, his earnest recommendation.

In the annual report of the Secretary of War, made to the President, and communicated to him to Congress, at the commencement of the present session, the Secretary said :

"It is proposed to divide the United States into eight *militia* districts, and to organize the militia in each district, so as to have a body of twelve thousand five hundred men in *active service*, and another of equal number as a reserve. This would give an armed militia force of two hundred thousand men, so *drilled* and stationed as to be ready to take their place in the ranks in defence of the country, whenever called upon to oppose the enemy or repel the invader. The age of the recruit to be from 20 to 37; the whole term of service to be eight years; four years in the first class, and four in the reserve; one-fourth part (twenty-five thousand men) to leave the *service* every year, passing at the conclusion of the first term into the reserve, and exempted from ordinary military duty altogether at the end of the second term. In this manner twenty-five thousand men will be discharged from militia duty every year, and twenty-five thousand *fresh recruits* be received into the *service*. It will be sufficient for all useful purposes, that the remainder of the militia, under certain regulations provided for their government, be enrolled and mustered at *long* and stated intervals; for in due process of time, nearly the whole mass of the militia will pass the first and second classes, and be either members of the active corps or of the reserve, or counted among the exempts, who will be liable to be called upon only in periods of invasion or imminent peril. The manner of enrolment, the number of days of service, and the rate of compensation, ought to be fixed by law; but the details had better be subject to regulation—a plan of which I am prepared to submit to you."

In the message of the President to which this report was appended, the President says, "the present condition of the defences of our principal seaports and navy yards, as represented by the accompanying report of the Secretary of War, calls for the early and serious attention of Congress; and, as connecting itself intimately with this subject, I CANNOT RECOMMEND TOO STRONGLY TO YOUR CONSIDERATION the plan submitted by that officer for the organization of the militia of the United States."

It will be seen that the full details of the plan were matured and drawn up by the Secretary, at the time he made the before-mentioned report to the President. He says "a plan of which (that is the details) I am prepared to submit to you;" and they had been, doubtless, seen by him when he penned the message, in which he so strongly recommends the plan. On the 9th day of March last, Congress, with a view, doubtless, to carry out the plan so strongly recommended to them by the President—the great outline of which had been before them from the commencement of the session—passed a resolution "that the Secretary of War be requested to communicate his plan in detail for the re-organization of the militia of the United States." In compliance with that resolution, the Secretary did, on the 20th of the same month, communicate the details, drawn out in the form of a bill, omitting only the formal words of legislation, and accompanied it by a letter of explanation, urging its adoption by Congress.

This gigantic scheme, the work of time, labor, and mature reflection, is then the measure of the President, and is the second great step in the march of the Federal Executive to uncontrolled power.

The time at which it was submitted is worthy of note—the eve of the Presidential election. It is the well-known doctrine of the party in power, that the election of a President is an express sanction by the people of all his measures, and known opinions, and views. It was of course anticipated that this scheme, which, to say the least of it, proposes to convert this quiet country and its peaceful inhabitants into a nation of soldiers, would attract the attention of the Opposition, and that its merits would be (as they have been) discussed before the people; and if the responsible author of this scheme should be re-elected, there would be the fairest ground for maintaining that it had the express sanction of a majority of the nation. Public attention has been roused, thanks to the vigilance of our late able public servant, Mr. Rives, who first sounded the warning trumpet. The champions of the Administration have stepped forth in its defence. A writer filling a public office in Washington, for which he was obviously selected on account of the supposed power of his pen, has filled the columns of the leading Administration paper in Virginia with an attack upon Mr. Rives, and a labored defence of the proposed militia army. That defence elicited the plaudits of the potent editor; and they have been re-echoed by the friends of the Administration throughout the land. Nay, more; the highly respectable gentleman who is the Van Buren candidate for your suffrages at the coming election for elector of President and Vice President, with becoming candor, has openly taken upon himself the defence of the scheme. This fact we state of our own knowledge. It is, therefore, a demonstrated truth, that it is the measure of the President, supported by those who support his election, and referred to the people at the polls. Every voter, then, who goes to the polls, and votes the Van Buren ticket, votes that this scheme shall become a law. It behooves us then to examine it, with a critical eye, in this its embryo state, and understand fully not only what it is, but what it is likely to *become*. Measures of mighty import rarely present themselves in their full proportions at their birth. The germ which you may crush with your foot, planted in a fruitful soil, and cultivated with diligence and skill, will become the towering oak.

We pass for the present the explanatory letter of the Secretary, and the praises which he be-

stows upon this his favorite offspring. It is before the public, and we invite all inquirers to peruse not only that letter, but the whole document. It is published at large in most of the Whig papers. The leading Administration paper has also published the explanatory letter, but has hitherto kept back the details of the plan. It is to these that we mean principally to invite your attention on the present occasion. The merits of a scheme are not to be judged of by the recommendations and praises of its projectors. Let us proceed, then, to what the Secretary calls the "details of the proposed system." They are divided into sections, and so worded as to serve for the draught of a bill, and need only the usual form of "Be it enacted by the Senate and House of Representatives of the United States in Congress assembled," to assume the imposing attitude and irresistible force of law. These formidable words, it is now proposed that the people of the United States, in the exercise of their sovereign will, shall authorize and instruct their servants to superadd.

Section 1st provides, that every able-bodied male citizen over nineteen and under forty-five years of age, shall be enrolled in the militia, and notified of his enrolment by the proper officer; and, "that every citizen, so enrolled and notified, shall, within three months thereafter, *provide himself with a good musket, bore of capacity to receive a lead ball of eighteen in the pound; a sufficient bayonet and belt; two spare flints; a knapsack; cartridge-box, to contain at least twenty-four cartridges suited to the bore of his musket, and each cartridge to contain a ball and three buckshot, and a sufficient quantity of powder; or with a good rifle, knapsack, shot-pouch, and powder horn or flask, with sufficient powder and ball for twenty-four charges, and two spare flints, and that he shall appear so armed, accoutred, and provided when called out for exercise or into service.*"

The 2d section exempts certain privileged classes, such as the Vice President, members of Congress, Federal Judges, &c., &c., and such others as the State laws may exempt.

The 3d arranges the mass of the militia into divisions, brigades, regiments, and companies.

The 4th provides for companies of riflemen, light infantry, cavalry, artillery, and prescribes their armament and equipment.

The 5th and 6th relate to unimportant details.

The 7th, 8th, and 9th, provide for the appointment of Adjutant Generals, Quartermaster Generals, and Brigade Inspectors, and prescribe their duties.

The 10th provides, "that within ——— months after the adoption and establishment of this system, there shall be taken from the mass of the militia in each State, Territory, and District of the United States, *by draught or by voluntary service*, such numbers between the age of twenty-one and thirty-seven years, so that the whole may not exceed 100,000 men; and in the following proportions for each State, Territory, and District, respectively, to wit: Maine 4,400 men, New Hampshire 2,400, Vermont 2,400, Massachusetts 6,000, Connecticut 2,800, Rhode Island 800, New York 18,000, New Jersey 2,800, Pennsylvania 10,400, Delaware 800, Maryland 3,800, Virginia 6,000, District of Columbia 400, North Carolina 4,800, South Carolina 2,400, Georgia 2,400, Florida 400, Alabama 2,000, Mississippi 800, Louisiana 1,600, Tennessee 4,400, Arkansas 400, Missouri 1,200, Iowa 400, Kentucky 4,400, Illinois 1,200, Indiana 2,800, Ohio 8,000, Michigan 800, and Wisconsin 400 men. This force to constitute the active class, and be denominated the active or moveable force."

The 11th section divides this active or moveable force into companies and battalions only, and provides for calling out lieutenants, captains, and majors; but, in all this army of 100,000 men, there will be no militia officer above the grade of major. When, therefore, it is assembled in regiments, brigades, and divisions, it will be commanded by colonels and generals of the regular army. It further provides, that the "active or moveable force shall be held to service as such, and be governed by such rules as may be prescribed, for the period of four years; one-fourth of the same in each State, Territory, and District, going out annually—the order of succession to be determined in the first instance by lot.

The 12th section declares that, "there shall be a third class, to be denominated the reserve, or sedentary force, which shall be organized in the same manner as the active force," that is, they are to be divided into battalions and companies, and have no officers above the rank of major. It is to be composed of those who have served four years in the active corps, and they serve four years more in the reserve, after which they will be "subject to no further military or militia duty, unless in cases of invasion or a levy en masse; and such portions of the active force as may go out of the same annually, shall forthwith be considered as belonging to the reserved or sedentary force; and, after four years' service in the reserve, one-fourth of that body shall go out of service annually, in the same manner as that prescribed for the second class."

The 13th section provides, "that the deficit occasioned by the transfer annually of one-fourth of the active to the reserved force, and by the discharge annually of one-fourth of the reserve, be yearly supplied *by draught or by voluntary service* from the mass."

Thus we have at once an army of 100,000 men, commanded by generals and colonels selected by the President, and removable at his pleasure, increasing annually at the rate of 25,000, until we have a total of 200,000

The 14th section divides the United States into ten military districts, as follows: Maine, New

Hampshire, and Vermont, compose the first district, and furnish for the active force 9,200 men; Massachusetts, Rhode Island, and Connecticut, compose the second, and furnish 9,600; New York the third, and furnishes 18,000 men; New Jersey and Pennsylvania the fourth, and furnish 13,200; Delaware, Maryland, District of Columbia, and Virginia, the fifth, and furnish 10,400; North Carolina, South Carolina, Georgia, and Florida, the sixth, and furnish 10,000 men; Alabama, Mississippi, Louisiana, and Tennessee, the seventh, and furnish 8,000; Arkansas, Missouri, and Iowa, the eighth, and furnish 2,000; Kentucky, Illinois, and Indiana, the ninth, and furnish 7,300 men; Ohio, Michigan, and Wisconsin, the tenth, and furnish 9,200 men; making a grand total of 97,800 rank and file.

The 15th section numbers and prescribes the order of precedence of the different description of troops, giving precedence, first, to the troops of the United States; secondly, to the active force; thirdly, to the reserved force; and, fourthly, to the mass.

The 16th section provides, that the militia officers of the several classes shall be appointed in the manner prescribed by the Legislatures of the several States, that is to say, that the States are to appoint the majors, captains, and lieutenants of the whole, and the generals and colonels of the mass; which is never to be called into service, except in cases of a *levy en masse*, or actual invasion.

The 17th section is of so much importance that it is proper to insert it entire. It provides, that "the President of the United States be authorized to call forth and assemble such numbers of the active force of the militia, at *such places within their respective districts*, and at such times, not exceeding twice, nor — days in the same year, as *he* may deem necessary; and, during such period, including the time when going to and returning from the place of rendezvous, they shall be deemed *in the service of the United States, and be subject to such regulations as the President may think proper to adopt for their instruction, discipline, and improvement in military knowledge.*"

The 18th section provides for calling out the militia to repel invasion, in the following order: that is, 1st, the active, 2ndly, the reserve force, and, finally, the mass; when they shall also be deemed in the service of the United States, and subject to the regulation of the President in regard to instruction, discipline, and improvement.

The 19th section provides for calling them out to enforce the laws and suppress insurrections when necessary.

The 20th section subjects the militia, when in the service of the United States, that is, as well when "called forth and assembled" by the President for "instruction, discipline, and improvement in military knowledge," as to repel invasion, enforce the laws, or suppress insurrection, "TO THE SAME RULES AND ARTICLES OF WAR AS THE TROOPS OF THE UNITED STATES," and provides that "no officer, non-commissioned officer, or private, shall be *compelled* to serve more than six months after his arrival at the place of rendezvous, in any one year, nor more than in due proportion with every other able-bodied man of the same rank in the regiment to which he belongs." By which we understand, that no officer, non-commissioned officer, or private, shall be *compelled* to serve more than four years in the active force, and four years in the reserve force, until every other able-bodied man of the same rank, shall have performed a like service; and that the President shall not have power to continue them in service for the purpose of "instruction, discipline, or improvement in military knowledge," or to repel invasion, or suppress insurrection, for more than six months after their arrival at the place of rendezvous, in any one year; for, in all these cases, they are expressly declared to be in the service of the United States, and no distinction is made in regard to the kind of service, to which they may be held for six months.

Section 21st reiterates the requisition upon every citizen enrolled in the militia to be constantly provided with arms, accoutrements, and ammunition, as required by the first section, and declares what shall be legal notice of enrolment.

Section 22d declares that the officers, non-commissioned officers, and men, when called into service for training or otherwise, shall receive the same monthly pay, rations, clothing, or money in lieu thereof, and forage, and be furnished with the same camp equipage as the infantry of the United States, except that when called out for training, they shall not be furnished with clothing, and limits the forage of the officers to that necessary for one horse and one servant each.

Section 23d regulates the allowance to officers and men of mounted companies for horses and servants, and allows forty cents per day for the use and risk of each horse, except such as are killed or die of wounds received in battle.

Section 24th regulates the compensation for horses killed or dying of wounds received in battle.

Section 25th allows compensation to the officers and men for going to the place of rendezvous, and returning from the place of discharge.

Section 26 gives to the widows and children of officers and men who die of wounds received in service, half-pay for five years.

Section 27th provides that courts-martial for the trial of officers and men of the militia, shall be composed of militia officers only.

Section 28th provides that every officer, &c., who shall fail to obey when called out for training, shall be fined in a sum not less than half a month's, and not exceeding three months' pay.

as a court-martial may determine; and, for failing to obey, when called out to repel invasion, or to enforce the laws, or suppress insurrection, shall forfeit not less than one month's pay, nor more than one year's pay; and, if an officer, be liable to be cashiered and incapacitated from holding a commission for four years; and, upon failure to pay the fines above-mentioned, they shall be subject to imprisonment for one month for every five dollars of such fine.

Section 29th provides for the collection of fines, and enforcement of a sentence of imprisonment, by the marshal of the district.

Section 30th provides for the payments of the fines so collected to the Adjutant General of the militia of the United States.

Section 31st confers upon the marshals the same powers, in executing the laws of the United States, which sheriffs possess in executing the laws of the States.

Section 32d appropriates the fines.

Section 33d authorizes the President, by and with the consent of the Senate, to appoint the Adjutant General of the militia of the United States, and prescribes his duties.

Section 34th fixes his salary at \$3,000 per annum, and declares his office to be a bureau of the War Department.

Section 35th allows him two clerks, and fixes their salaries.

Section 36th authorizes the President to establish depots for munitions and arms, and as rendezvous of the militia.

Section 37th allows to officers and men the same compensation for disability from wounds as is allowed to officers and men of the regular army.

Section 38th provides that the present corps of volunteers shall not be disturbed or deprived of their privileges, but shall, nevertheless, be subject to the duties required by this system, that is, we suppose, be subject to be draughted into the active force, and after four years' service, fall into the reserve.

Section 39th enjoins upon the State Legislatures the enactment of such laws as may be necessary to enrol and organize the militia according to the provisions aforesaid; and, until such laws are enacted, declares the present laws to remain in force.

And, finally, section 40th gives a definition of the term "militia," which makes it mean the standing army which the scheme proposes; so that, after violating the constitution and the rights of the citizen, it winds up with committing violence upon the English language.

If the proposed scheme is to be considered as a plan for organizing and training the militia, then is it a most palpable violation of the constitution of the United States. The only power given to any department of the Federal Government over the militia of the States, is that given to Congress by the 14th and 15th clauses of the 8th section, 1st article, and to the President, by the 1st clause of the 2d section, 2d article. The two former empower Congress "to provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions," and "to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress." The latter declares the President to be "commander-in-chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States." Congress cannot, therefore, "call forth the militia" for any other purpose but to "execute the laws, suppress insurrections, and repel invasions;" and it is only when they are so called forth that they can be "in the actual service of the United States," and it is only "when called into the actual service of the United States" that the President can exercise any authority over them. The only additional power granted to Congress is to organize, arm, and prescribe the discipline. The militia are to be trained, that is, "instructed and improved in military knowledge" by the States, under the command of officers appointed by the States. The author of the scheme, aware of this, and that, when so trained, neither the President nor any officer of the regular army can exercise any authority over them, by the 17th section of the plan, declares that, when they are called out "for instruction, discipline, and improvement in military knowledge," that is, for training, "they shall be deemed in the service of the United States;" and thus seeks to evade one provision of the constitution by violating another, it being clear that the power of Congress to "call forth the militia" "into the service of the United States" is limited to cases where it is necessary "to execute the laws of the Union, suppress insurrections, and repel invasions;" and this double violation is committed for the purpose of placing the militia, in time of peace, under the command of the President and the officers of the regular army, authorizing him to march them from one end of a military district to another, and subjecting them to the rules and articles of war.

Again: by the constitution, the militia are to be "trained according to the discipline prescribed by Congress." By the proposed plan they are to be subject to such regulations as the President may think proper to adopt for their "instruction, discipline, and improvement in military knowledge"—that is, instead of being "trained" by the States, "according to the discipline prescribed by Congress," they are to be trained by officers of the regular army, according to the discipline prescribed by the President.

It is difficult to conceive a greater outrage upon common sense than the attempt to palm this scheme upon the people, as a plan for organizing and training the militia according to the constitution. There is no escape from the most palpable violation of the constitution but to call this military force by its true name—"a standing army in the pay of the General Government, commanded by the President."

We will not enlarge upon the consequences of transferring to the General Government the absolute control of the efficient and instructed portion of the militia, and leaving to the States a "mass," which, according to the declared opinion of the author of the plan, is, "without discipline, subordination, or the knowledge of the use of arms, and totally ignorant of the manner of taking care of themselves or each other in the field," commanded by officers "nearly as ignorant as themselves," without a solitary officer instructed in the science of war, or trained and instructed to command so much as a single regiment.

To the General Government belongs the exclusive power "to raise and support armies" in time of peace; to provide and maintain a navy; and to raise money by import duties, the most convenient and productive source of revenue. As a bulwark to the States, the constitution reserves to them the exclusive possession of the militia force in time of peace, and the most important power to appoint the officers, yes, *all* the officers who command them. And this bulwark is to be undermined. The bone and sinew of the militia, all between 21 and 37, are by turns to be handed over to the President. The provision which entitles them to be commanded by their own officers is evaded by calling them out in battalions. If, for this purpose, an army of 100,000 men can be called out by battalions, there is no reason why they should not be called out by platoons.

We hasten from this general, but most important view of the subject, to some of the most prominent details of the plan.

We beg you, fellow-citizens, to take up the first section—we mean that which requires every able-bodied citizen enrolled in the militia to equip himself with arms and ammunition—and examine it in all its bearings and consequences. What will be the cost to each able-bodied man of this equipment? Any of you may calculate. We are not conversant with such matters; but when we take into consideration the great and sudden demand for the articles, we think we are moderate when we estimate the cost to each militia-man at twenty dollars. We will therefore assume this to be the cost, leaving it to your better knowledge to correct us, if we are in error. Now, the objection which we take, in the outset, to this plan is, that it violates the known and well-settled principles of taxation of modern times; and, like its twin brother, the hard-money scheme, goes back to the dark ages. To be sure, the very simplest mode of taxation in the world is what is called a capitation tax; that is, a tax of so much a head; but it is at the same time the most unequal and unjust, and has been repudiated for centuries past. The maxim, in modern times is, that when the State stands in need of the personal services of her citizens, as all are by nature endued with bone and muscle, such services should be required of all. But when money is wanted, as the bounties of Fortune are not showered upon all alike, so it is not just that all should contribute an equal portion of those bounties. Personal services are, therefore, levied upon men—pecuniary contributions upon property; and the ingenuity of legislators is exercised in devising systems of taxation which will reach property in all the various forms which it assumes. Luxuries are taxed, because, in general, they are in the possession of men of property. The pleasure carriage is taxed, whilst the cart and wagon go free. The furred hat and broadcloth coat, worn by the rich man, pay five times the tax of the felt hat and russet coat of the laborer; and if the farmer is content to wear the fleece of his own flock, and the web of his own loom, he pays no tax at all. The plan before us reverses the principle, and carries us back to the dark ages, when the nobles laid the taxes and the people paid them.

We beg you, fellow-citizens, to take any of your own dwellings, as a centre of a circle of two miles in diameter, and take an account of the militia men and the property holders who reside within it, and work out this scheme of the President into its practical effects. You will find a rich proprietor, with a large landed estate worked by slaves, and perhaps two, perhaps one, possibly not a single son on the muster list. You will see his overseer, not owning even a horse, himself laboring in his vocation from dawn till night, his wife busied in her housewife cares, without a single help: *He* is on the muster list, and has to pay twenty dollars, to buy his musket, his knapsack, his cartridge-box, his belts, his powder, and his ball. You will see also his tenant, who, with a horse or two, and, perchance, a son, his assistant in his daily toil: they are both on the muster list, and he must pay his forty dollars to arm and equip them in the panoply of war. Go to your muster grounds; look at the militia companies, and say whether they are the men to pay the taxes of the nation. They are, without the use of either slang or metaphor, the bone and sinew of the country. They are the men to do the fighting; but surely it cannot be just to make them do all the fighting, and most of the paying also. Yet they are the men who, according to the system of the President, must, within three months after the system is adopted, pay twenty or thirty millions. According to the rate of taxation fixed by our State Legislature, all slaves above the age of twelve years pay thirty cents a head, and all lands pay ten cents upon every hundred dollars of their assessed value. The assessed value is gener-



ally a little below the market value. The tax which the President proposes to lay on each militia-man is therefore equal to the tax now paid to the State by a man who owns two thousand acres of land, assessed at ten dollars per acre, or 66 slaves above the age of twelve; and, if we add those under twelve, we may say that it is equal to the tax paid by a man who owns one hundred slaves. So much for the first section of this law which you are required to sanction by your votes.

You are already sufficiently informed of the manner in which the "active" and "reserved" corps of this army are to be constituted. The time during which the men may be kept in the "field" "in camp," and "in garrison" becomes an important subject of inquiry. The 17th section, which authorizes the President to "call them out for instruction, discipline, and improvement in military knowledge," leaves a blank for the number of days, beyond which they shall not be kept in service in any one year. The 20th section limits it to six months, and may furnish the means of filling this important blank. It is proper, however, to state that, in the explanatory letter, the Secretary says that the great objects which he proposes to accomplish "will be effected by drilling, during four years, one hundred thousand men, for a period not exceeding thirty days, nor less than ten days, in each and every year." So that it may not be unfair to argue that he designed to fill the blank in the 17th section with the word "thirty." If this be so, there would be a singular discrepancy between the 17th and 20th sections.

With great deference to the superior knowledge of the Secretary in regard to matters belonging to his Department, we venture the opinion that thirty days in each year would not be sufficient to form such soldiers as he proposes to make. They are to be made "available" for guarding our exposed frontier, which, he says, "it is impossible to guard with the small regular force of the United States." The militia, he tells us, as at present organized, "without discipline, subordination, or knowledge of the use of arms, and totally ignorant of the manner of taking care of themselves or each other in the field," would "rather prove a burden than an assistance to the army employed in the defence of the country." The "generality" of the officers, he says, are "nearly as ignorant" as the men. Out of such materials he proposes to form soldiers who will not only "fight bravely, manœuvre coolly and skillfully in the field of battle," but who shall be "taught their duties in garrison and in the field, in marching and encamping, in the police and military administration of an army." They are to be so organized, instructed, and disciplined, as to "prevent the necessity of maintaining a large standing army, even in time of war." They are to be "rendered *perfectly efficient*, and capable of defending the forts along our maritime frontier, which, in the absence of such an organization, would require a regular force of fifty thousand men." These ignorant officers are to acquire the "habit of command," the "prompt eye," "firm tone," "which inspire the men with confidence and courage, and are essential to secure their ready obedience;" "to accomplish which the officers and privates, who are to act together in the field, must be drilled together and practised, the one to the duties of obedience, and the other to those of command." He truly tells us that "it requires time to form a soldier, under the most practised, experienced, and skillful officers;" that this instruction, so essential, and without which it is impossible to form the soldier, cannot be given in a day's training;\* and we venture to add that it cannot be given in ten, nor thirty, nor sixty days a year, in four years.

But these great and indispensable objects must, he says, be accomplished, or the militia will be "rather a burden than an assistance to an army employed in the defence of the country." And if ten days or thirty days be insufficient, then, as provided in the 20th section, the President may keep them in the "field, in camps, and in garrison," for half the year.

As a means indispensable to subdue the eagle-glance of the mountaineer, and cause him to watch the "prompt eye," and move at the "firm tone" of his officer, and practise the "duties of obedience"—in a word, to transform the freeborn citizen into that plant machine called a "soldier," when "called forth and assembled" by the President for the purpose of "instruction, discipline, and improvement in military knowledge"—the militia of Western Virginia may be ordered to the banks of the Delaware or the shores of the Chesapeake; those of Maine to Vermont; the men of Pittsburg to the banks of the Hudson; those of North Carolina to the swamps of Florida; the mountaineers of Tennessee to New Orleans; Kentucky to Indiana; and Ohio to Wisconsin; and *vice versa*. And, when mustered into service, they are subjected to the Rules and Articles of War!

None of the fines imposed by the 28th section, apply to offences committed after the men are mustered into service. They all apply to the offence of failing to obey the order calling out the militia to enforce the laws, suppress insurrections, and repel invasion, or for training. After they are once embodied, they are to be trained by such regulations as the President may prescribe, and governed by the same rules and articles of war as the troops of the United States, (vide sec. 20.)

Now, fellow-citizens, we beg to lay before you, some of these same rules and articles of war, to which the freeborn sons of America are to be subjected in time of profound peace.

"Art. 5. Any officer or soldier, who shall use contemptuous or disrespectful words against the

\* Vide explanatory letter, *passim*.

President of the United States, against the Vice President thereof, against the Congress of the United States, or against the Chief Magistrate of any of the United States, in which they may be quartered, if a commissioned officer, shall be cashiered, or otherwise punished, as a court-martial shall direct; if a non-commissioned officer or soldier, he shall suffer such punishment as shall be inflicted on him by the sentence of a court-martial.

"Art. 6. Any officer or soldier, who shall behave himself with contempt or disrespect towards his commanding officer, shall be punished according to the nature of his offence, by the judgment of a court-martial.

"Art. 7. Any officer or soldier who shall begin, excite, cause, or join in any mutiny or sedition, in any troop or company in the service of the United States, or in any party, post, detachment, or guard, shall suffer death, or such other punishment as by a court-martial shall be inflicted.

"Art. 8. Any officer, non-commissioned officer, or soldier, who being present at any mutiny or sedition, does not use his utmost endeavor to suppress the same, or coming to the knowledge of any intended mutiny, does not without delay give information thereof to his commanding officer, shall be punished by the sentence of a court-martial with death, or otherwise, according to the nature of his offence.

"Art. 9. Any officer or soldier who shall strike his superior officer, or draw or lift up any weapon, or offer any violence against him, being in the execution of his office, on any pretence whatever, or shall disobey any lawful command of his superior officer, shall suffer death, or such other punishment as shall, according to the nature of his offence, be inflicted upon him, by the sentence of court-martial."

"Art. 20. All officers and soldiers who have received pay, or have been duly enlisted in the service of the United States, and shall be convicted of having deserted the same, shall suffer death, or such other punishment as by the sentence of a court-martial shall be inflicted.

"Art. 21. Any non-commissioned officer or soldier who shall, without leave from his commanding officer, absent himself from his troop, company, or detachment, shall, upon being convicted thereof, be punished according to the nature of his offence, at the discretion of a court-martial."

"Art. 23. Any officer or soldier who shall be convicted of having advised or persuaded any other officer or soldier to desert the service of the United States, shall suffer death, or such other punishment as shall be inflicted upon him by the sentence of a court-martial.

"Art. 24. No officer or soldier shall use any reproachful or provoking speeches or gestures to another, upon pain, if an officer, of being put in arrest; if a soldier, confined and asking pardon of the offended in the presence of the commanding officer."

"Art. 37. Any non-commissioned officer or soldier, who shall be convicted at a regimental court-martial, of having sold, or designedly or through neglect wasted, the ammunition delivered to him to be employed in the service of the United States, shall be punished at the discretion of such court."

"Art. 41. All non-commissioned officers and soldiers who shall be found one mile from camp without leave in writing from their commanding officer, shall suffer such punishment as shall be inflicted upon them by the sentence of a court-martial.

"Art. 42. No non-commissioned officer or soldier shall lie out of his quarters, garrison, or camp, without leave from his superior officer, upon the penalty of being punished, according to the nature of his offence, by the sentence of a court-martial.

"Art. 43. Every non-commissioned officer and soldier shall retire to his quarters or tent, at the beating of the retreat; in default of which, he shall be punished according to the nature of his offence.

"Art. 44. No non-commissioned officer or soldier shall fail in repairing, at the time fixed, to the place of parade, of exercise, or other rendezvous appointed by his commanding officer, if not prevented by sickness or some other evident necessity; or shall go from the said place of rendezvous, without leave from his commanding officer, before he shall be regularly dismissed or relieved, on the penalty of being punished, according to the nature of his offence, by the sentence of a court martial.

"Art. 45. Any commissioned officer who shall be found drunk in his guard party, or other duty, shall be cashiered. Any non-commissioned officer or soldier so offending, shall suffer such corporal punishment as shall be inflicted by a court-martial.

"Art. 46. Any sentinel who shall be found sleeping upon his post, or shall leave it before he shall be regularly relieved, shall suffer death, or such other punishment as shall be inflicted by a court-martial."

"Art. 50. Any officer or soldier who shall, without urgent necessity, or without the leave of his superior officer, quit his guard, platoon, or division, shall be punished according to the nature of his offence, by the sentence of a court-martial."

"Art. 53. Any person belonging to the armies of the United States, who shall make known the watchword to any person who is not entitled to receive it, according to the rules and discipline of war, or shall presume to give a parole or watchword different from what he received, shall

suffer death, or such other punishment as shall be ordered by the sentence of a general court-martial."

"Art. 64. General courts-martial may consist of any number of commissioned officers, from five to thirteen inclusively; but they shall not consist of less than thirteen, where that number can be convened without manifest injury to the service.

"Art. 65. Any general officer commanding an army, or colonel commanding a separate department, may appoint general courts-martial, whenever necessary. But no sentence of a court-martial shall be carried into execution, until after the whole proceedings shall have been laid before the officer ordering the same, or the officer commanding the troops for the time being; neither shall any sentence of a general court-martial, in time of peace, extending to the loss of life, or the dismissal of a commissioned officer, or which shall, either in time of peace or war, respect a general officer, be carried into execution, until after the whole proceedings shall have been transmitted to the Secretary of War, to be laid before the President of the United States, for his confirmation or disapproval and orders in the case—all other sentences may be confirmed and executed by the officer ordering the court to assemble, or the commanding officer for the time being, as the case may be.

"Art. 66. Every officer commanding a regiment or corps may appoint for his own regiment or corps, courts-martial, to consist of three commissioned officers, for the trial and punishment of offences not capital, and decide upon their sentences. For the same purpose all officers commanding any of the garrisons, forts, barracks, or other places where the troops consist of different corps, may assemble courts-martial, to consist of three commissioned officers, and decide upon their sentences.

"Art. 67. No garrison or regimental court-martial shall have the power to try capital cases or commissioned officers, neither shall they inflict a fine exceeding one month's pay, nor imprisonment, nor put to hard labor, any non-commissioned officer or soldier for a longer time than one month."

This restriction, it will be observed, does not apply to general courts-martial which are ordered by generals and colonels commanding a separate department, who may appoint courts consisting of five of their creatures, and inflict any punishment, even to the taking of life, if the President so pleases.

It will be perceived that where the bloody code spares the life of the culprit, it leaves his punishment very much to the discretion of the court. Punishment by stripes has been abolished; but the ingenuity of the tormentor has been tasked to substitute others equally painful. We are not personally familiar with such matters; but we hear of chaining to a cannon-ball, hard labor, riding a fence rail with a musket and bayonet tied to each foot for spurs. Confinement under guard is a thing of daily occurrence, and can be inflicted by a single officer.

By whom is this iron-code to be expounded and enforced? By learned and responsible judges, impartial juries, and the civil officers? No: by military officers and the provost marshal; by courts-martial composed of militia officers, it is true; but in the selection of which not one militia officer in the whole United States will have a voice; by militia officers detailed by the colonels and generals of the regular army, selected by the President, and holding their commissions at his pleasure; tribunals before which the accused may not even be confronted by his accuser; for, by the 74th article, in all cases not capital, the evidence may be by deposition.

Such, fellow-citizens, is the formidable power which the President of this free Republic demands at the hands of his supporters. Such is the aspect of the monster as it is exhibited to you by its creator. Hideous as it is, it is but the mask which conceals one still more hideous. Should the proposed scheme be executed according to the letter and its declared purpose, some consolation would be found for the grinding exaction which it imposes upon the militia man, by requiring him to provide himself with arms, in the reflection that the untaught and undisciplined valor of numbers might successfully use those arms against the myrmidons of power; some in the reflection that, although the spirit of freedom in the "active" and "reserved" corps might be subdued by those lessons of obedience which are to be taught them by the President and the officers of his army, their patriotism might not be extinguished. But a single stroke of the pen, and the insertion of a line would relieve the dear people from the encumbrance of arms, and furnish the active corps from the well-stored arsenals of the General Government; and thus the work of creating a standing army, composed of the rabble of the country, would be accomplished.

To show, beyond the reach of cavil, how this would be accomplished, let it be recollected that the "active" corps is drawn from entire States: Virginia is to furnish her 6,000, Pennsylvania her 10,400, New York her 18,000; that the requisition may be filled by volunteers; that they are to receive the same pay and emoluments, camp equipage and quarters, as the regular troops; that their pay is to commence from the time they leave home until they return; that they are to be "taught their duties in garrison and the field, in marching and encamping, in the police and military administration of an army," "at such times as may least interfere with their ordinary occupations;" (vide explanatory letter of the Secretary;) that, although they cannot be "compelled" to serve more than a certain number of days in each year, nor more than four years in the "active" corps, there is nothing in the scheme which prevents them from volun-

teering a second or a third time; add that they are to be armed by the United States, and let the stars and stripes wave in our cities, towns, and villages, and the roll of the drum and the voice of the recruiting sergeant invite the idle and profligate, and who will doubt that the ranks will be filled by such as tyrants put their trust in? Bear in mind, too, that the President is at this moment in possession of the public treasure; and that a subservient majority in Congress stand ready to give the sanction of law to the usurpation.

What is the purpose to be accomplished by this mighty scheme? Whence arises the necessity of converting a community of peaceful citizens into a nation of soldiers? Let the President's Secretary answer: "The impossibility of guarding our exposed frontier by the small regular force of the United States, although the militia soon will ascend to two millions of men." "Any attempt to organize, discipline, and render every way fit for service, the unwieldy mass must fail for want of means, and leave the country exposed to the terrible disasters which will attend the first burst of war upon its frontiers, if they are to be defended by armed but undisciplined multitudes;" that "our soil might be polluted by the foot of the invader, our cities taken and sacked, and our forts occupied, before our armed citizens could be taught the elements of tactics, or the simple use of the firelock."

One of the most profound and philosophical foreigners who has written upon our country and its institutions, has remarked, that "a thousand circumstances, independent of the will of man, concur to facilitate the maintenance of a democratic republic in the United States." "The Americans have no neighbors, and, consequently, they have no great wars, or financial crises, or inroads, or conquests to dread.†

If we cast our eyes upon the map of North America, we see from the point at which our northeastern boundary touches the ocean, to the sources of the Mississippi, that we border on the British possessions, consisting of scattered and feeble colonies, with difficulty retained in their allegiance to the parent country, trackless forests roamed by the hunter and the Indian savage, and separated from us by vast lakes. On our western border we have hordes of savages, who live but by our permission. Farther south, the friendly State of Texas, just budding into existence, and anxious to become a member of our political family; and from thence the broad Atlantic rolls three thousand miles of water between us and the nations of the old world.

Whence is that torrent of invasion to "burst," which can only be averted by a President, at the head of a numerous, disciplined and well appointed standing army? From the naked savage? No. From our brethren of young Texas? No. From Great Britain, then.

And will our navy and our forts, and our brave little army, and our two millions of militia be unable to prevent our "soil from being polluted, our cities taken and sacked, and our forts occupied, by British soldiers transported across the Atlantic?" Is it true that the hardy cultivators of our soil, "if called out in mass, would rather prove a burden than an assistance to the army employed in the defence of the country?" That our cities might be taken and sacked, and our forts occupied, before our armed citizens could be taught the elements of tactics or the use of the firelock? Have we sunk so low that the general of an invading army, when told of the multitudes who are assembling to guard their paternal hearths, may coolly reply "the thicker the grass, the more easily it is mown?"

Whither has the spirit of our fathers fled? Time was, when, without an army, without ships, without money, without credit, and without a Government, the now despised sons of the soil dared to encounter the disciplined legions of Britain. But Lexington, Bunker Hill, Boston, and King's Mountain, have faded from the memory of the President. Did the "first burst of war" in 1812 visit the country with the "terrible" disasters with which he now seeks to frighten us? Was our "soil polluted by the foot of the invader, our cities taken and sacked, and our forts occupied?" Let Stonington, and Fort McHenry, and North Point, and New Orleans, and Sandusky, and Fort Meigs, and the river Thames answer. Shall we be reminded of Detroit and Washington? Can the President remember nothing but the treachery of a general and the imbecility of a Secretary of War? Has he no joy in our victories, no confidence in our valor, no faith in our patriotism?

Upon what authority, we demand, does he hold up the militia, the only safe defence of a free people, to derision and scorn? He has none, we say none; no, not a shadow. For the sustained efforts of a protracted war, all concede them to be unsuited, but to meet "the first burst" of any war which we need apprehend, they are more than competent.

All this parade, then, of "soil polluted," "forts captured," and "cities sacked," is but a pretext to surround the President with an armed force, to do his bidding—the last link in the chain, forged in the name of Democracy, to fetter the liberties of our country.

MAY, 1840.

Your fellow-citizens,

R. E. SCOTT,  
SAMUEL CHILTON,  
THOS. T. WITHERS,  
RICHARD PAYNE,  
JOHN P. PHILLIPS,  
JOHN WALDEN.

N. B. The following table of errata was appended to nearly all of the copies of this address which were distributed. The errors therein noted will be found to be corrected in this edition ; in *no other particular* does it vary from the original.

## ERRATA.

Page 1, line 13 from bottom, insert "to your consideration" after strongly ;" page 3, last line of the last paragraph but one, for "entreat," read instruct ;" page 6, line 11 from bottom, strike out "for ;" page 9, line 1, for "plea," read "plan ;" page 11, line 2 from bottom, for "practical," read "practised ;" page 14, last line, insert "corps," after "reserved ;" page 15, line 11, for "quarter," read "quarters ;" same page, line 18, for "and that they are to be armed by the United States. Let," &c. read "add ; that they are to be armed by the United States, and let," &c. ; same page, line 29, insert inverted "commas" before "any," so as to make the whole passage a quotation, same page, last line, insert "old" before "world ;" page 16, line 13, for "fraternal," read "paternal ;" same page, line 18, insert "Lexington," before "Bunker Hill."





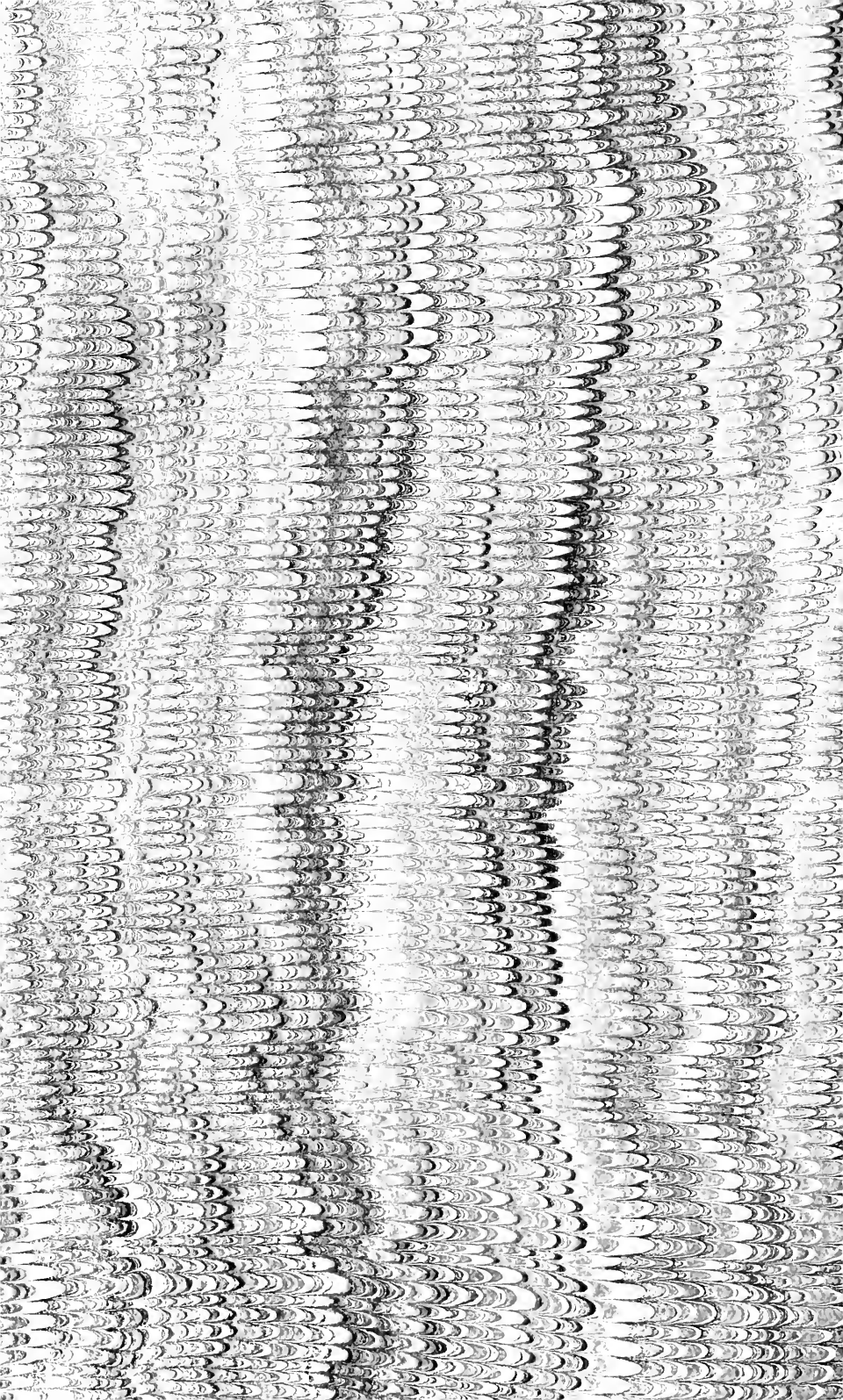


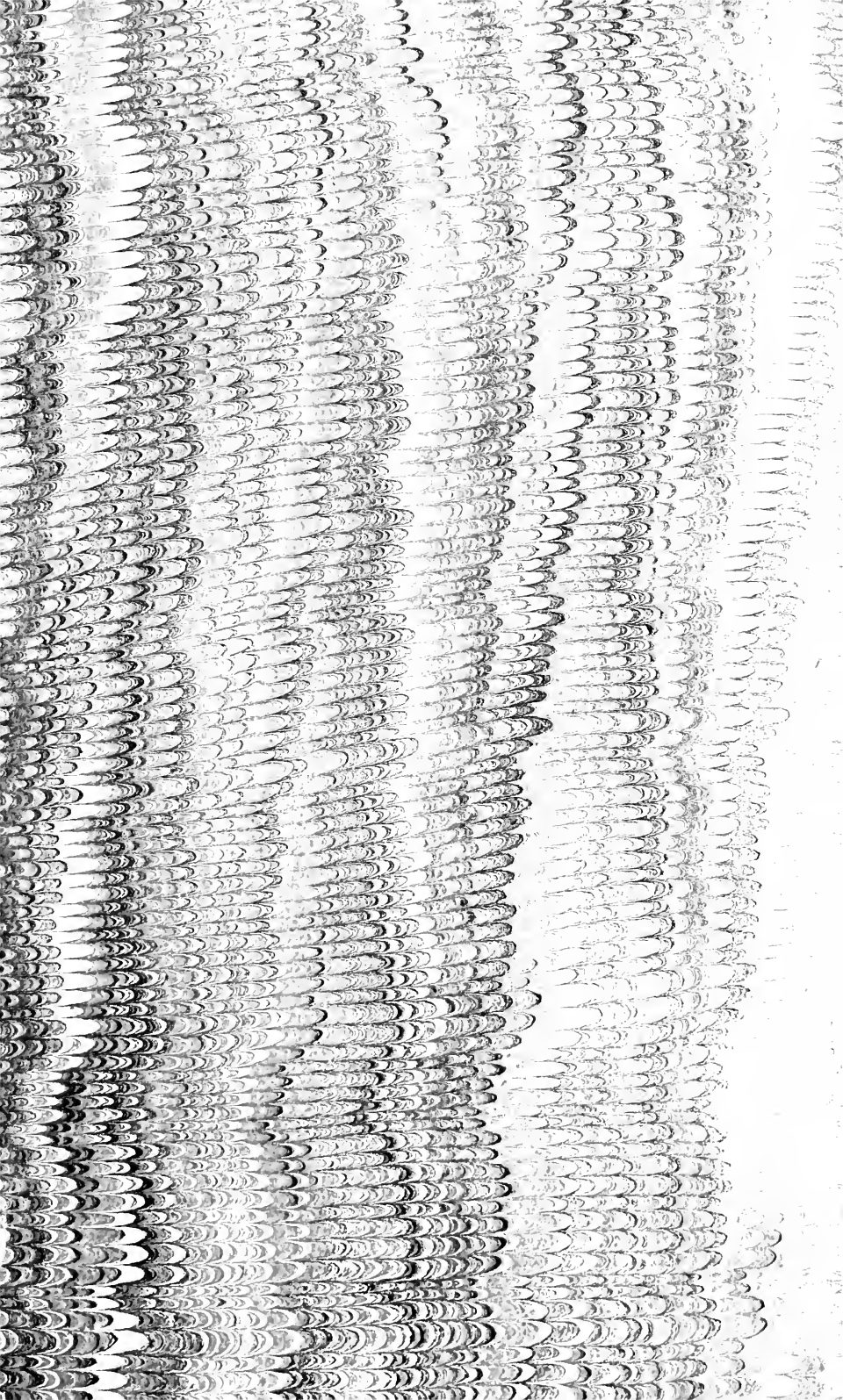




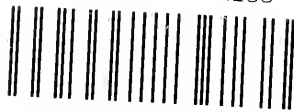








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